

**BOARD OF SELECTMEN
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BOARD OF SELECTMEN & SEWER COMMISSIONERS' MEETING MINUTES

Francis Faulkner Meeting Room

Town Hall

December 5, 2007

7:00 PM

Present: Chairman Hunter, Selectman Rosenzweig, Magee, Knibbe and Berry
Recording Secretary Maryjane Kenney

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

DELIBERATIONS ABOUT CANDIDATES FOR THE POSITION OF TOWN MANAGER

The Chairman updated the Board on the two conversations he has had with Mr. Huggins. The first stating that with Universities being busy this time of year, he is finding a delay in getting responses to his questions. In the second conversation Mr. Huggins stated he was unable to confirm a piece of information on one of the resumes. The Chairman then asked the Board to take a look at the letters of recommendation that were included in Extra Information in the packet.

Each of the Selectmen offered their impressions on the candidates. All of the Selectmen stated that any of the four candidates were qualified, but they would want the right fit for Acton.

Chairman Hunter – John Murray He is quite impressed with John Murray and the range of his experience. I am reminded that he has been in town for 19 years and I like that connection to the Town. In addition he has run the town on two separate long-term occasions: once when Don had a death in his family and currently as the Temporary Town Manager. I have been extremely impressed with several important initiatives, such as salary parity, that Mr. Murray has taken just in the short time he has been Temporary Town Manager. Some of these issues can really be considered courageous as he is under the spotlight in his role as a temporary. In all the letters he has received none would make him not approve John. There are many positive letters and one was very well stated by Mr. Mullen in that regard.

Mr. Delaney, I found interesting. He had no questions for us which raised a flag. Even just to show interest and that he did his research I would think he would ask something. One of the character references stated that on one occasion or more he did not accept the Selectman's position and had come back and revisited it many times. Not a good trait for a Town Manager. Georgetown is a little less sophisticated and has only a 3 member Board of Selectmen.

Mr. Ledoux, I found he did not specifically answer what the most important trait for a Town Manager would be. He did answer about the correct way to respond to a policy decision the Board makes that you don't agree with which is to move on. But he went on and on and did not answer to the point. It was interesting information but not organized and not on topic. It was my time and I had other questions for him. The Board members that the Chairman spoke to about Mr. Ledoux were favorable and particularly anguished about him leaving.

Mr. Maylor, I was very impressed with him and he did have several conversations with him outside of the Board's presence. The Chairman did further research outside of the references in particular a blog on the Town site. It did come up with many negative responses so he discussed it with him and offered if he would like to make a comment. He did respond afterwards with a very good and thoughtful email to Dore' which he read to the Board. Many were opposed to the reorganization in 2002 of having an Administrator. Many years were spent with volunteers and committees running the town. The Chairman was satisfied and felt there were probably sour grapes. For personal reasons he decided not to finish his career in Swampscott, so at contract time he signed for only for two years as opposed to a five year extension. His Chairman in Swampscott spoke enthusiastically about Mr. Maylor and he would hate to lose him. Nothing was screaming out as out of place in the interviews or references the Chairman had checked for the four candidates.

Selectwoman Knibbe – Mr. Delaney, He is a persuader, a thoughtful and educated man. He has a commitment to openness and transparency and good communications skills. He has not had the experience in his role in Georgetown as would be expected in Acton. It is a smaller town. His cross Board experience, meaning collaboration with the schools, fire, police and committees, is different. Dealing with a three member board is considerably different. The role he would play in Fincom is larger here in Acton than in Georgetown. Any of them could do the job, but his would be the biggest step.

Mr. Ledoux, I think he is a strategic thinker and consensus builder. His town is the closest fit to Acton and as such it would not take much for him to come up to speed. He knows all the issues; they are so similar. I like the range of towns he has worked in: Western Massachusetts and Michigan; it will bring value to the manager's position. It is good that he was a leader, Vice President, in the MMA. It gives him a broad range of contacts and awareness. He is a collaborator. He has worked with a Regional school system in Sudbury. She talked to several in Williamstown and they have a town/college split much like ours with the school. Relationships there were a tense and he calmed them. When he left that relationship he built went away. It was not just friendship; he also got them to pay for something the town needed implemented by partnering with them. Impressed by how he collaborated and partnered with everyone he worked with; part of what he does. He found solutions by looking outside the box in health care solutions, the housing authority and the water tank issue in Georgetown. He shows a strong commitment to openness.

Mr. Maylor, Mixed feelings about him. He is very ambitious and a change agent. Impressed that he is smart and can do the job. Not convinced he would be happy with the job we are offering. He has good communication skills, leadership skills and financial skills. In Swampscott he was building a new thing and he did a marvelous job. In Chelsea he rescued a town in crisis. All was very impressive. But in Acton we want changes, but not dramatic changes. His unwillingness to move and the way he defines and structures his job he wants total control. Not bad, but not how we run Acton. He wants to be the boss and in Acton we need a facilitator and collaborator. He has no history of collaboration. Has never needed it where he has skin in the game. No talk of transparency and openness. His talk about his email policy is all centered on control. He looks like a super star; not a good fit for Acton.

John Murray, It is difficult being a Temporary Town Manager, being under the microscope and running for the position. His long history with the Town has advantages and disadvantages. He has a strong financial background, a deep commitment to Acton, and a deep knowledge of the issues. He has made significant contributions with NESWC and Sewers. Impressed and pleased

with some of the things he has done in regards to environmental issues. But his history is second in command. His resume' is the weakest because he has not ever been the boss. Will local knowledge compensate for him that he has never been the boss or never seen change; that he has no experience? Continuity can be good, but sometimes so can change.

Peter Berry – All four candidates have very different backgrounds and experience and skill sets.

Andrew Maylor, Selectman Berry talked to several of his references and one thing they all stated is his transparency. He tells things how they are. He does not play politics. He is honest with people. The former School Committee member he talked to had good things to say. He has not done any collaboration experience. He is a team builder in the town. Swampscott is going through very difficult financial times. They closed a school, laid off 30 teachers and cut back on staff at Town Hall. He talked to a labor lawyer he knew and Andrew has as good as a relationship as you can have in those circumstances in dealing with the unions. Even with all the cut backs if you talk to citizens in town, it is still running well. (Controversial but running well.) The new Superintendent, Matt, controversial himself in town, and had to deal with him and significant cuts he still has a lot of respect for Mr. Maylor. His experience in dealing with unions in Chelsea is much different than what he will see in Acton. He had a hard and controversial position in being the first town administrator. He heard that his presence is very professional. Mr. Maylor has a very strong representative for the town and good sense of integrity.

John Murray, Selectman Berry stated he learned a lot he did not know about John. It opened his eyes to a lot about his skills he did not realize. His mission and value statement was a thoughtful document and he has achieved a lot for the town. His roots being here is a great plus for the town. He agreed completely with his idea of honesty being the most important trait for a Town Manager. He thought his interview was great and his environmental ideas were good. Liked that Mr. Murray wanted to go beyond Acton in solving the packaging problem and raise it to the state level. He has a lot of support in town and certainly with some people he has issues that have formed over the years. One thing I question is his ability to deal with the schools. Wrestles with the skill set of continuity versus someone new. A history of the town is important. When you look at skills I believe it outweighs the continuity. All four candidates can do the job; it comes down to what is a good fit.

Mr. Ledoux, I was impressed most by his creativity. His solution to the water tank on Museum property was interesting and getting money from the Museum to pay for it when they were complaining originally was good. In Williamstown, Mr. Ledoux wanted to find some tax revenue as the college property was tax exempt; he asked the college to reach out to the alumni and seek business ventures with the town. It was a successful drive and did bring in revenue. That was impressive. He was the first Town Administrator in Sudbury so he had to work through those barriers. Many of the issues that he faces in Westford are much closer to Acton. His ability to convert property to commercial space is good. Spoke to school superintendent and he thought he is the best manager he has worked with. He thought he did especially well in working with budgets through the ALG process and being very fair to the schools.

Steve Delaney, sees him as an intellectual and maybe not able to deal with the issues in Acton. He liked his sense of humor in dealing with his staff. He feels the others have stronger skills. Did not talk to anyone about Steve Delaney in Georgetown but felt that other candidates were better suited.

Andy Magee – All seemed to be good choices. Andy Maylor is very bright and capable, an urban guy. The two Steves are both good both Town Managers. John alone is very good. So, I had to ask, what am I looking for. My initial thought puts Andy high on the list because I felt he was very bright, to bring Chelsea out of receivership, that is huge. But does that fit here? Is that what we need here? Cities do grow and maybe we need a more regional guy. In the end I backed away from that. Then I focused on the environmental things that concern me and which of the candidates really holds the concept in their hearts. Only two candidates fit, John Murray and Steve Ledoux. John's response was very strong saying he would like to bring it to another level.

John Murray, Acton – He has been very impressed to see him emerge from D Johnson. What he is seeing is the open office and his message is openness. In this short time I see change and a very different message. Just in his door being opened shows openness to the staff; it sends a different message. His green initiatives are good and turning to the staff to ask ideas for energy savings is certainly a good idea. It takes a lot of courage to take on salary parity when he knew he would take heat. I was very impressed with that. He knew he would take the heat for it and he went ahead and did what he believed in. He worries because everyone that has been interviewed has people in their background that don't like them. That weren't happy with some decision in the past. That I don't worry about. But I worry about making a change. Can John move from Assistant to Manager and make affective change.

Steven Delaney, Georgetown - He liked him very much. He was a bright person. He liked his approach, his humor. Did not feel it was in his heart he wants to be here. He did have the right answers. In his reference checking he told everyone that this was the first change for Acton in 20 years and then asked how do you think the candidate will handle this. Selectmen Magee feels this is critical. In this case it would play to his strength. He is very personable and has a great sense of humor, excellent communicator. But in environmental issues and collaboration he does not have the experience.

Steve Ledoux, Westford - He liked him and felt he was a collaborator and what moved him to the top were the Williamstown example and the land purchase issues - particularly pulling in the Trust for Public Lands. These are the issues that face us, the Selectmen, as project managers. This is a person who can work to move projects forward. We have the fire station, the COA expansion, the BFRT and others. And he felt this guy works with teams.

Andrew Maylor, Westford - This is the brightest of the bunch. To go to Chelsea and set it up to get out of receivership, what a job that is to accomplish. But will he be happy here? Swampscott was not a fit for him; it was the challenge of setting up the government. He won't be happy here day to day.

Selectwoman Rosenzweig – I will do in alphabetical order.

Steve Delaney, Georgetown – She did research by actually seeing how the Town was run. They completed the new Library which is extraordinary. His references rated him quite high. They appear to have very high standards for their town manager position. He has spent time as a manager consultant in public works. He has done workshops in time management. He is very professional and has a good sense of humor; he knows how to listen, he prioritizes well, and is known as a team builder. He gives 100% and takes his job seriously. Confronts others frustration well and is helpful. He is very ethical and good at hiring. His expectations are high. Highly regarded by the Selectmen she spoke to also. She liked him, but it did not appear he had researched the Town of Acton in any depth.

Steve Ledoux, Westford - She liked his interview and in his reference checks he did very well. Comments she heard were he was very reasonable, very loyal to the Selectmen, good at keeping confidences; he is a good emotional thinker meaning he reads people well and he is not a hasty thinker. He has good understanding of municipal law. He is up on current events throughout the

commonwealth and understands how it operates. Very diplomatic and professional in her references describing his role in the major land purchase in Westford. He was said to be a very good family person. She did not have enough time to look fully at him but did get those comments. She would like to have more time to look into his background and speak to people in Sudbury.

Andrew Maylor, Swampscott - She did have a reference response from a character witness who was not someone he worked with and they had the best things to say about him. She felt he gave some good answers to some very complicated questions. She liked that he did research the town. He stated Swampscott is like Acton and she really relates to that comment. It does have a flavor that is like Acton. It is a growing town that still wants to be small and it values the schools and sports and achievement is important. She drove up to Swampscott and it looks like a well run town with good signage and a professional demeanor. She liked he was a government junkie and was into the job. He attended his Veterans' Day ceremony which is a good reflection. She felt it was important that he stated work environment is important. His reputation was he was someone who gets things done. Her concern is when he comes in the big press for the GIC worries her as she is more cautious in her approach as saving the town money is not always best for the town. Also, they did not get all the unions to agree so she would like to look into it more. He seemed very interactive. Did some collaborative coalition work and gave department heads responsibility and empowered them.

John Murray, Acton - He has very much surprised me. She has never seen anyone work so hard and give so much to his community. His professionalism, his knowledge, his depth of information has been key to prodding us forward as a Board so we can make decisions and come to consensus. It helps us organize information and come to conclusion. He has been inclusive of staff in lateral decision making. Management skills building and willingness to take risks have surprised me. He took a lot of heat in making decisions as in center roadway. It is very satisfying to see what he has accomplished for the Town's morale in how the center looks with the prominent cross walk. After his interview many people stopped to say "WOW" how thoughtful he would be as a Manager in Acton. He still needs to overcome some relationships where he had to be the bad guy. There is room to grow in that area. He has great financial strength. People are extremely loyal to John and that tells you something. He is easy to work with; very open and I have been very impressed.

Further Deliberations:

Chairman Hunter commented. John Murray does have an extraordinary work ethic and is here at 6 A.M and to late evenings for meetings. He has been through several Town Managers. Ultimately we have our own opinions, but we will need to come to agreement so the town does not suffer. We also do not want to choose someone who will leave soon. We need someone who will respect us even in times that they don't agree with all our choices. He doesn't feel the issue with John Murray is continuity but predictability. I think that Bill Mullin wrote an excellent letter that there is less risk with John. John has been an agent of change in many ways. He was extremely successful with NESWC and sewers. He did an unbelievable job. It was very collaborative and financing it was very difficult and it was John's doing. Truly his ability to successfully guide us through this was a great gift to the town.

Mr. Ledoux – The Chairman has dealt with him in meetings regarding Mutual Aid and emergency issues on the Acton/Westford line. They did come to an agreement which happens, but he did not see any skill or analysis of the situation that was impressive. He only put one solution up and it was for two unions, one from Acton and one from Westford and build a fire station on the line. He

would not move from it. It could have been what he was told to do. Andy said it showed it strength as he did what the Selectmen ordered him to do. The Chairman is also concerned with not having a manager near or in Acton. It would be perceived as he is not a member of the community of Acton. Nothing else said at the table is a big surprise. The Chairman felt the two Steves were in the middle he would feel more comfortable with Mr. Ledoux just because the size of the community was more comparable to Acton.

Where do we go from here, how do we decide what we are looking for. Where do we go from here?

The Chairman updated on reports from Mr. Huggard. It is not going to go as quickly as we hoped. Mr. Huggard will be a while collecting data as it seems with the holidays it is taking longer for responses to come in. We could eliminate some, which will help or we can sit and wait and do nothing till all the information is gathered.

Selectman Magee – I heard from this evening that Steve Delaney could be eliminated. I heard a very mixed range on Mr. Maylor. He is bright and energetic but he is the biggest risk. So, I come up with Mr. Ledoux and John Murray as the two with the strongest feelings.

Selectwoman Rosenzweig stated her two top choices would be Andrew Maylor and John Murray. But she is tempered by the fact that Mr. Maylor lives too far away. She is not as comfortable with Mr. Ledoux and still needs time to further research Mr. Maylor. You really need a good match. She is leaning very heavily towards John Murray.

Selectman Knibbe – I agree could cut Mr. Delaney loose. She is reluctant to let Mr. Maylor go yet. She doesn't like the opinion of categorizing as high risk Mr. Maylor and low risk Mr. Murray. History cuts two ways and people have long memories that might make him high risk as he has generated opposition; is that fair, probably not.

Selectman Berry - John Murray has best financial skills of the candidates. I am reluctant in that Andrew Maylor has such strength that he would like to address everyone else's concerns. Him not living in town could be explored. It does not go to his skills. My nature is not to go with what is comfortable. I am very impressed with John Murray's abilities and what he has taken on here. These other managers have skills too. He votes for change. He agrees that Mr. Delaney is not the same as the others.

The Selectmen discussed having the candidates come to town and tour or meet in a less formal situation, personality matters

Selectwoman Knibbe asked if each of the Selectman could go to one of their BOS meetings.

Mr. Kadlec stated that apparently any of the four can do the job, but the five of you don't know what you want. You five must decide.

Chairman Hunter replied that he had a good suggestion. What are we looking for?

Mr. Magee commented to Mr. Kadlec that it was not that we don't know what we want. We all know what we want. The discussion speaks to the fact that we were given four very good candidates and we must now try to determine which the best is for Acton. This is the purpose of our deliberations.

Chairman Hunter is looking for continuity with some change (thinking outside the box), but not wholesale revision and starting all over again.

Selectwoman Rosenzweig stated that if we mix the three, we would have the perfect manager, each of them have strengths and weaknesses. We need to look at the match for Acton.

The Chairman told the story of Don being the building commissioner and very strong in engineering matters but possibly weak in personnel and administration. Now he has developed into an excellent manager. A person can fill in the gaps if they are strong.

Selectman Berry feels the town is very well run, but is an opportunity to take a fresh look. Maybe there are new ideas to make the town more efficient. I do not say that John can't do it. We need a communicator, a team builder, a person who can work with staff and out side boards, good personnel skills and financial skills.

Selectwoman Knibbe feels all of the above comments are very important. She is comfortable with change; it is an opportunity. She does not want total change. The town is so well run; I don't want to lose that. It is going to change some no matter who is hired. Management skill is key; manage the people you have. Communication is big and collaboration important.

Selectman Magee liked Selectwoman Knibbe's opening remarks at the beginning to describe the candidates such as strategic thinker, Selectman Berry's comment to be team builder and Chairman Hunter's comments that we want an innovator but not huge change. It is getting down to words we are using. We need someone who can move projects. We have the sewer projects financing, 40 Bs and collaboration with neighboring towns, the fire station and regionalization.

Chairman Hunter - Maylor and Murray

Selectwoman Knibbe - Ledoux and Murray

Selectman Berry – Maylor and Ledoux at this point, but I question Maylor

Selectman Magee – Ledoux and Murray

Selectman Rosenzweig - Murray and Maylor We are an extremely well run town with a great Finance committee and great Boards. I like our management and I like to think in part that is due to John Murray.

Chairman Hunter -Can we say that Mr. Delaney can be off the list. Selectman Magee - it will make our job a little easier. The idea was debated and Selectman Berry moved to have the Chairman notify Mr. Delaney that he will not be going forward in the final pool for Town Manager. Selectwoman Rosenzweig seconded the motion. All voted in agreement for Mr. Hunter to notify Mr. Delaney he will be off the list for Acton Town Manager.

The Selectmen will do further research on the candidates including visiting their towns, talking to references and speaking with the candidates themselves.

Selectman Magee noted that this is normal for complicated deliberations, and that while it would have been nice to come to a quick decision, the fact that we can't reflects the quality of the candidates. It was decided to meet on Wednesday, December 12th at 7PM in Town Hall to resume deliberations.

III. SELECTMEN'S BUSINESS

OTHER BUSINESS

None

IV. TOWN MANAGER'S REPORT

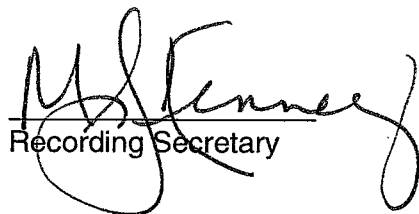
V. CONSENT AGENDA

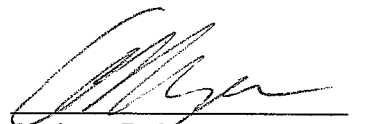
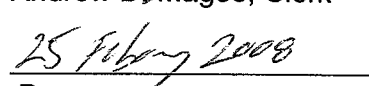
BOARD OF SELECTMEN SCHEDULE FOR JANUARY OF 2008 TO APRIL 2008

The Board of Selectmen opened the meeting discussing the consent calendar and the available dates. It was decided to move the meeting of March 24th to March 17th. With that change the schedule was approved.

VI. EXECUTIVE SESSION

None


Recording Secretary


Andrew D. Magee, Clerk

Date

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**January 7, 2008
Acton Town Hall, Faulkner Hearing Room
7:00 P.M.**

Present: Dore' Hunter, Lauren Rosenzweig, Andrew Magee, Paulina Knibbe and Peter Berry (came in at 8:00). The Temporary Town Manager, John Murray was present. Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Ann Chang reported on town report committee. She is concerned with smaller committees that she has to call to get information.

OPERATIONAL MINUTE

John updated the Snow removal budget; we have spent 70%. If we have a normal 3 months we will probably go over budget. John will let the Board know when it is wrapped up and let them know the amount of overage.

PUBLIC HEARINGS & APPOINTMENTS

ACTON INDOOR SPORTS, D/B/A OVERTIME BAR, 36 GREAT ROAD, CHANGE OF MANAGER ON THE LIQUOR LICENSE. JEN RYDER

Dore' asked how old she was and asked if she had worked in the liquor industry. She said she was 30 and has not worked in the industry in the past. Dore' impressed upon her that we take it very seriously and if any one is killed or hurt the institution will be affected as well. He felt the policy was good and they are all TIP Certified.

Paulina reiterated the concern of the Board to prevent underage people being able to obtain alcoholic beverages.

Lauren noticed the policy of having the form of action and we should recommend all establishments have this type of paperwork.

Andy noted that they are TIP Trained and noted we have taken away licenses and will take any action that needs to be taken.

LAUREN ROSENZWEIG, Moved to Approve the Change of Manager – ANDREW MAGEE – second - UNANIMOUS VOTE

SIDEWALK PLOWING UPDATE AND SIDEWALK COMMITTEE REPORT

John asked to move to the next meeting since staff is out. John noted our short staff and design issues with the way we are designing sidewalks. They need 6-10 feet buffer to let the sidewalk plow do its work or they will need to remove the snow at night. The last major storm took 9 days

to clear. They have asked for school routes and other areas that need attention to hit prime areas of need.

SISTER CITY DISCUSSION GUIDAN ROUMDJI, NIGERIA

Mike Klinger was in the Peace Corps 25 years ago and has returned with his daughter to meet with officials of Guidan Roudji Nigeria. They asked about the Sister City program. Mr. Klinger suggested that perhaps an exchange of books and items from local business that could provide such things as computers. Sister Cities have been created in many places. He suggested that they could have students come here as exchange students, which would provide an exchange of art and cultural customs. They don't recycle or compost presently and hoped some of the businesses could contribute to this drive. He will meet again with the Mayor of Guidan Roudji.

Dore' asked John to report. There are fees to some Sister City programs. They will grow these person by person and that we work toward something more formal that would not cost Acton any money. The State Department currently has many associations to Sister Cities.

Lauren thanked him for bringing this forward.

Andy noted he liked the idea and needed an outline of what he is being asked to vote on. Andy asked for a mission statement.

Pauline too liked the idea and asked about budget items. John said this was only to adopt the concept. There is a small dollar change for shipping and it will not be proposed for 18 months.

Peter liked the cultural interchange with the Moslem people and asked about how they pick which country to enter into this.

The board talked about the needs and we need the openness and exposure and the ability to present who we are. Andy said we need to have some framework to capture this in. Andy said that there are a lot of people who would help.

Mike said that he would put a vision statement and get the Mayor's ideas and come back with something in writing.

John Murray said we needed to have a document that both sides could sign off on. It could change at a later date.

PETITION FOR WARRANT ARTICLE FOR A TOWN SOCIAL WORKER POSITION

Tina Growsky noted her communication with Dore' and noted Counsel's review and wanted to acknowledge the petition for insertion at the Annual meeting in Town Counsel's suggested language. Tina needs to get the 10 citizen's who signed the original petition to sign that they wish to withdraw it. We need it in writing to remove a filed citizen petition. Dore' suggested that she get the 10 people to withdraw the petition and then it could be put on the warrant by the Board. Dore' reminded folks about the process of citizen petition submittal. Dore' noted that we get what town meeting is going to be asked to vote on. Dore' asked about case loads and number of people to hire. Is the person going to be an overseer? We will need to develop a job description and what we need to budget. Dore' also asked about neighboring communities which would be involved and to possibly share this person. Dore' said that we need to be

convinced we need it. Dore' noted we do not have staff to assist and will be waiting for them to present materials to the Board.

Lauren asked them to follow through with removing the original Petition. Lauren told them that it is a project that they will need do a lot of outreach for and asked what is being provided now and who is providing it. Lauren said that they need to look at the needs and what kinds of things that the agencies are currently facing.

Andy agreed we have a need and the need is there. Andy was concerned about our staffing needs. This article would call for creating and raising appropriate funds. We will need to put it in our budget, a budget that we will be cutting this evening. Andy asked if the concept is ripe enough for Town. He was concerned that it is premature at this time and they need to go back and get the political will and to convenience those who don't support it.

John noted that they would need an article to enter into a Municipal Agreement with another town. John suggests that the Charter has say the on the employee positions.

COMMUNITY PRESERVATION COMMITTEE UPDATE

Andy reported on an issue that came up at the last meeting. They are within their budget and will be an easy process this year. They have interviewed all but 2 applications and will finish up this Thursday. They will then go into their discussions about deeming the projects acceptable.

Andy spoke about the Exchange Hall application to CPC. They are essentially becoming partners in project. Andy noted that only after Mr. Berger spends his \$2 million and completes the entire restoration project will the CPC funds be expended. Andy wanted to put the information in the packet just to make the Selectmen aware of the issue.

Dore' is concerned with the project and felt that someone should look into the exterior as it has been let go and wondered if the numbers for the renovation were correct. Dore' would hope we don't partner and find out that there are more issues and problem and we need to spend more money to fix it.

Andy too was concerned with this and has not seen the business plan at this time. Andy felt that there is a desire to see the building fixed and recommend that anyone get a tour of the building. The interior is in good shape and the exterior needs a lot of work. Andy hoped that this building works out.

Ann Chang asked about Town Counsel's opinion of appropriateness for this project,. It was noted that it was a judgment call. We received a Yellow on this project. Red Not is suitable and Green clearly a go.

Ann noted that this is not a non-profit, and this will be a for profit endeavor. Ann asked the Town be careful and felt the Town should own this building.

SELECTMEN'S BUSINESS

FY09 BUDGET POLICY, ALG DISCUSSION

John spoke about offering below interest rate loans for non-sewer areas in town and advance treatment options. John said that there are areas that need this we could become greener and noted loans could be used for the installation of solar panels. John said that if we put \$500,000 in the budget, this amount would go fast, but more money would be available as the loans are paid back.

Dore' noted ALG meeting and asked other Members if they wanted to attend the next meeting.

Dore' went over the 11 Selectmen initiatives. He did not feel we could go with Woodbury Lane and asked about the Shuttle money requirements for this year. Lauren said they are working with LRTA and they have a lot of requirements we don't have the staff to handle this. The money is to be used for the application process. Lauren said that we need funds to obtain a consultant to apply for the application.

Paulina said that she understands seed money and what a shuttle costs and asked if Lauren knew the scale of the Grant. Lauren noted that the committee does not know how to prepare the application without a planner.

Andy noted he went to ALG with the then Chairman, Walter Foster; which was when they got a 31.25% split, after arguing for a 32% split. They wanted to move back to a fair split, and he believes ALG essentially agreed it would move some more this year. He felt that we would be looking at an increase this year and did not know what it would be. Andy noted that it was taken off the table this year. Dore' said that he thought that we might want to make some provision to propose an idea about the concept and sliding numbers with increased enrollment which is the nature of beast and in another 4 years it will come down. The formula was tied to enrollment. Andy said it was discussed early this year and using NESWC funds for Bonding. He believes that after what was said last year the split shift should not just stop.

Paulina noted her concern and that we need to look at the whole picture before getting too wound up in the issues. Paulina understands that the split was made after review of the needs. Paulina said that we need to share in the pain and share in the good times. The Board discussed the Stone Formula and that it ended up making people own budget buckets. Dore' noted that in ALG the rule was for this year and this year only.

Andy spoke about the Stone Formula and how it related to the process. We will lose 70 percent to the schools.

Lauren felt that there is a commitment on the school side and that they have the desire to move and we have had to put a lot of things on hold and that they are willing to move the split. Lauren said we need a yearly bump up and wanted to go out three years and figure what they can start to shift over while meeting their needs in their budget and our essential needs. Certain things need to happen this year and we need to look to them for some assistance. Lauren would like to go into the meeting knowing that they will move the one more step that they agreed to when Andy was on the Board.

Paulina wanted the split maintained at 30.89 at this time she would be willing to trade off some NESWC money to get a larger split.

Design Services for Hayward Road

John said that we have not moved forward. Lauren asked about the need for an Executive Session to discuss this. It was hoped we could meet the deadline as a "maybe."

Social Worker Position

Paulina said that she felt that the social worker request probably would not be able to move forward. It was discussed and left as a maybe if the Article was ready for Town Meeting.

Woodbury Lane

Andy did not see it in our budget; we have studied this over and over again. We won't consider it at this time.

Acton Boxborough Cultural Council

Funding \$2,000; we give them money each year.

Design services three existing fire stations

Dore' said that one of the alternatives is interaction with Center. We might choose to do it or not, but did not know if we could be a quick study. John said the architect has been asked to look forward to the Center Station and felt that they should take this off.

Senior Center Expansion Advisory Committee

Paulina said she wanted to keep the funding active and felt it would happen in around 18 months.

North Acton Fire Station

Not to fund at this time.

Street Light Conversion

Paulina would like this to stay on for now and we can spend money to save money. Lauren updated the board on her meeting with the Outdoor Lighting Committee. John wanted to bring Dean to the meeting to discuss this at a later time. John said that on the Saturday we have Fin Com and BOS together we should have the Committee make a 5 minute presentation. John asked to allow them to come to the meeting as they would have more information and felt in Dean's absence they would be able to answer the questions.

DRAFT POLICY, APPOINTMENT OF DOCUMENTED ALIEN RESIDENTS TO TOWN BOARDS AND COMMITTEES

Dore' outlined the policy he drafted. We have an opinion from Town Counsel that he reviewed the outlined and folded them into the policy.

Paulina noted that she reviewed and is pleased with the policy.

Lauren supported and asked if the policy needed to go back to Counsel. Dore' felt we could save the Legal Fees as he used Counsel's opinion to draft this policy.

Andy said it was clear and simple and he noted that we may need to take other actions but felt it was covered in the Policy, and he is comfortable to support this.

ANDREW MAGEE - Move to accept the policy as written. LAUREN ROSENZWEIG - second. UNANIMOUS VOTE.

Peter asked that we look at the definition of resident aliens.
Change Resident Alien to Legal Acton resident in the Policy.

DORE' HUNTER - Moved to Stay the Policy earlier this evening pending Peter's rework. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE.

LICENSE RENEWAL UPDATE

John reported all the fees have been accepted.

NORTH ACTON FIRE/EMS PROJECT DISCUSSION

Dore' outlined the progress that has been taking place. The Architect has been sent back to develop concept schemes. First was to move it closer to 2A. Second was to turn the station toward the street and bring it a little closer. The third was a rather bold reorganization which is pending on trading off land on the east side of 2A. The land would have to come out of the deed restriction before we could trade the areas. Counsel has been asked to speak with the land owner to discuss this removal from the current deed restriction. Dore' noted the Chief's concern about the fire trucks trying to turn in scheme 3. This is not being brought to Town Meeting this year. The Recommendation is that the BOS formally move that we will not have it at April Town Meeting this year. Dore' said we will need to increase the size of the bay to house the ladder in Center, the truck would be taken out of South Station and will be doing more renovations in the center station. DORE' HUNTER - Moved to vote to omit the North Acton Fire Project for any appropriation action at the next Town meeting in April 2008. ANDREW MAGEE – second. UNANIMOUS VOTE

Lauren noted the Design Review Board offered their suggestions to the three schemes presented by the Architect to FETAG. Lauren said that she wanted to leave open the window to take advantage of being able to change zoning to accommodate the changes needed.

Paulina noted that scheme 3 has the potential of being less expensive and would allow parking for the field.

TOWN MANAGER CONTRACT DISCUSSION

To be discussed in Executive Session

OTHER BUSINESS

NONE

TOWN MANAGER'S REPORT

NONE

CONSENT AGENDA

ANDREW MAGEE – Moved to accept the Consent Agenda. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

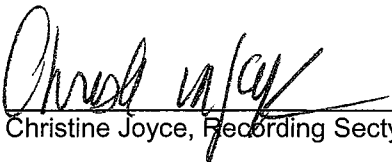
EXECUTIVE SESSION

PETER BERRY – Moved to go into Executive Session to discuss contract negotiations with non union personal and further to discuss possible land purchase. LAUREN ROSENZWEIG - second. Roll call was taken all ayes, UNANIMOUS VOTE

RETURN TO REGULAR SESSION

The Board returned to public session to let the public know that the Board of Selectmen voted to enter into a contract with Mr. Ledoux. Some small changes will be made and forwarded to Mr. Ledoux for acceptance.

It was discussed that John Murray should receive the Town Manager salary while he was performing the duties as the Temporary Town Manager for the months and days he performed in that position.


Christine Joyce, Recording Secty


Clerk, Board of Selectmen

Date 25 February 2008

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Francis Faulkner Meeting Room

Town Hall

January 7, 2008

7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:02 OPERATIONAL MINUTE

The Town Manager will provide a brief report on topics of interest.

2. 7:20 REQUEST FOR CHANGE OF MANAGER, ALL ALCOHOL, ACTON INDOOR SPORTS, D/B/A OVERTIME BAR, 36 GREAT ROAD, JENNIFER RYDER TO REPLACE KEVIN O'CONNELL.

Enclosed please find materials in the subject regard, for Board consideration.

3. 7:30 SIDEWALK PLOWING UPDATE AND SIDE WALK COMMITTEE REPORT

Enclosed please find Materials in the subject regard, for Board consideration.

4. 7:45 SISTER CITY DISCUSSION – GUIDAN ROUMDJI

Enclosed please find Materials in the subject regard, for Board consideration.

5. 8:00 PETITION FOR WARRANT ARTICLE FOR SOCIAL WORKER POSITION

Enclosed please find Materials in the subject regard, for Board consideration

6. 8:15 COMMUNITY PRESERVATION COMMITTEE UPDATE

Enclosed please find materials in the subject regard, for Board consideration.

III. SELECTMEN'S BUSINESS

6A. FY09 BUDGET POLICY, ALG DISCUSSION

Enclosed please find materials in the subject regard, for Board consideration.

7. DRAFT POLICY ON APPOINTMENT OF DOCUMENTED ALIEN RESIDENTS TO TOWN BOARDS AND COMMITTEES

Enclosed please find materials in the subject regard, for Board consideration.

8. LICENSE RENEWAL UPDATE

The Temporary Town Manager will report to the Board in the subject regard.

9. NORTH ACTON FIRE/EMS PROJECT DISCUSSION.

No materials Enclosed

10. TOWN MANAGER CONTRACT DISCUSSION

No Material Enclosed

11. OTHER BUSINESS

IV. TOWN MANAGER'S REPORT

V. CONSENT AGENDA

**12. ACCEPT MINUTES, BOARD OF SELECTMEN, DECEMBER 3, 2007,
NOVEMBER 5 EXECUTIVE SESSION AND NOVEMBER 19, 2007**

Enclosed please find materials in the subject regard, for Board consideration.

13. CEMETERY COMMISSIONER'S REQUEST TO INCREASE FEES

Enclosed please find materials in the subject regard, for Board consideration.

**14. SPECIAL PERMIT SITE PLAN #12/23/04-400 FOR 864 MAIN STREET,
LANDSCAPE PLAN CHANGES**

Enclosed please find materials in the subject regard, for Board consideration.

**15. SENIOR CENTER EXPANSION COMMITTEE, THREE NEW TASK FORCES
APPOINTED**

Enclosed please find materials in the subject regard, for Board consideration.

**16. DISCLOSURE OF APPEARANCE OF CONFLICT OF INTEREST, FIRE CHIEF
ROBERT CRAIG**

Enclosed please find materials in the subject regard, for Board consideration.

**17. DISCLOSURE OF APPEARANCE OF CONFLICT OF INTEREST, TEMPORARY
TOWN MANAGER**

Enclosed please find materials in the subject regard, for Board consideration.

18. ACCEPT GIFT, WEST ACTON CITIZENS' LIBRARY

Enclosed please find a gift of \$5,000.00 from the Friends of the Acton Libraries, to be used to purchase computers, printer, and appropriate furniture for the new equipment.

19. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$50.00 from the Le Lyonnais Restaurant, to be used to fund the activities at Winterfest, for Board consideration.

20. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$500.00 from Sorrento's Restaurant, to be used to fund the appearance of the Pat Patriot, the Patriot's Mascot at Winterfest, for Board consideration.

21. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift valued at \$1,750.00 from Kennedy Nursery for assorted shrubs to be planted at NARA Park in the cement patio area at the bathhouse and the hill behind the Amphitheatre, for Board consideration.

22. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$4,000.00 from Roche Brothers, to support the 2008 Summer Concert Series at NARA Park, for Board consideration.

23. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$1,400.00 from Middlesex Savings Bank, to be used to support the Acton Teen Repertory Theatre, \$100.00, \$300.00 for Winterfest and \$1,000.00 to support the 2008 Summer Concert Series at NARA Park, for Board consideration.

24. ACCEPT GIFT, CONSERVATION COMMISSION

Enclosed please find a gift of \$1,000.00 from Steven and Rachel Kelley to be used for trail maintenance on Acton's conservation lands, for Board consideration.

25. OBSOLETE MATERIALS DISPOSAL, ACTON MEMORIAL LIBRARY

Enclosed please find materials in the subject regard, for Board consideration.

VI. EXECUTIVE SESSION

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

MINUTES PENDING VOTES

December 17, 2007

PENDING COMMITTEE APPOINTMENTS

Mike Fisher, TAC (still with VCC), Reshma G. Singh, and ABCC to fill the unexpired term of Elaine Sisler who recently resigned. Barbara Estabrook, ABCC, Sumar Adishesu, ABCC. *(Ms. Estabrook and Ms. Adishesu's applications are at VCC for Interview and recommendation, Joseph R. Ianelli, Interested in several committees, The following applications have been forwarded to VCC for interview and comment: Jean Lane, VCC, Nancy Gerhardt, VCC, Les Gerhardt, Cable Advisory Committee, Mary Ann Angle, COA*

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This is not a complete agenda.

January 26 - Budget Saturday

February 4 & 25

April 7 - Town Meeting Begins

January 28

March 3 & 24

Board of Selectmen's Minutes
January 19, 2008
8:00 A.M. Faulkner Room

Present: Dore' Hunter, Lauren Rosenzweig, Andrew Magee, Paulina Knibbe and Peter Berry by Conference Call. The Temporary Town Manager, John Murray, Steven Ledoux were present. Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

OPERATIONAL MINUTE

PUBLIC HEARINGS & APPOINTMENTS

SELECTMEN'S BUSINESS

Dore' discussed the Non-Quorum meeting last Sunday. The purpose was to discuss the issue of parity with the finance committee. They were also concerned that we have not hired a Human Resource Officer. Dore' noted the difficulty in hiring someone at the level we can afford.

DORE' HUNTER – Moved to direct John and Steve to execute search for HR Director to have on board by April or as soon after as possible. LAUREN ROSENZWEIG - second. Andy noted the irony that we haven't been able to hire an HR person because we don't pay enough and wants to move forward.

Paulina said she understands the problem is that compensation package was designed in the 60's and there is more wrong with the plan. The concern expressed by the FinCom was that it looked like we were not addressing the whole issue. She said that they looked at the package and we do need to look at the entire package with the HR person on board to look into the current package.

Paulina felt it is a priority to get it done and we do need to address the compensation issue and we should do both. Paulina noted next year we can do the obvious things we will have to do more hiring next year and the new town manager will need to decide how he is going to organize staff. Paulina said we will need to address the compensation pool that we choose not to do because of the compelling issue of parity.

Lauren noted we need to pay at least 10-14 thousand more than we offered to get the HR Director. Lauren said it will be up to the new town manager to reward performance.

Peter agrees with all that was said. UNANIMOUS VOTE

Board of Selectmen Special Meeting
January 19, 2008]

Dore' outlined the discussion on the wage increase. The Finance Committee asked about the comparative town's we used to review parity increases.

Dore' suggested that we move forward and change proposal to the 100 per cent average this year, but not the 105%. Dore' noted that staff would not be happy. He also noted that we need to take care of our employees to retain them.

DORE' HUNTER -Move with regret to get the whole thing done we move forward to go to 100 percent and to make the changes. Stick with the 100 % and do the research with the new town manager DORE' HUNTER – Moved go to 100 % of average of comparative communities, and interact with finance and others appropriate to move to higher amount . PAULINA KNIBBE – second.

Motion Withdrawn

Paulina said the entire subject of compensation is long overdue, and if we were to say that we are doing this year, but it is a multi year issue. The 105% increase for staff will bring it up to parity. She said that she was in favor of 100% this year and looking forward next year.

Andy asked how long it will take to get this completed. He felt we need to address this now. What he sees is we are telling staff this is the third study in the last five or six years in which it has been found that we are under-paying our staff and now we've tabled it again and are telling them don't worry we will resolve this. Andy suggested we set aside 105%.

Andy spoke about his frustration about the Fincom's issue regarding using Newton as a comparable community. That is one town and removing it will not change the results of these studies.

Lauren said that the problem to solve is we have extremely professional staff and are devoted to the Town and care deeply for the Town. However, the staff needs to look for more money for their families. How do we keep the good people here and stop them from going elsewhere. She said the issue here is we need to have more of an increase. Moral is low and we do appreciate the staff and we want all those in town to be comfortable with the increase and to make sure people are sure it was vetted. She said she would be more comfortable having money for the new manager to hire a New HR Director.

Pauline said the objections from the FinCom were related to issues with the study. Second piece is the category of objects of a blanket 105% for every one. It was the broad brush stoke that would raise concerns with some people. She is not opposed to setting aside for the Town Manager and Human Resource Director for next year to use as incentive, bonuses and dealing with issues above the 100%.

Peter said he is in agreement with Paulina and put money aside.

John said if they go to 100 it would save \$125,000.

DORE' HUNTER - Move we take the 105% off the table. PAULINA KNIBBE –second. Vote 3-1 Andy No

Andy reviewed the letter prepared by Dore'. He said this is a very appropriate letter and felt it would be a good motion. Peter had no statement on the letter to non-union staff; he agreed with the letter also.

PAULINA KNIBBE - Move that the Board accept the statement letter and transmit it to town staff. DORE' HUNTER – second.

Peter asked that it be reformatted and signed by the entire Board.

Lauren said that we strongly look to our budget to create the delta. She said she wanted this letter to be given to the FinCom and the community.

Dore' asked that it be put on web site. Paulina asked that the Beacon also.

Dore' said the ALG situation that was outlined in the memo from Jonathan Chinitz.

Lauren said that faced with being told "no split" and go use NESWC funds her main thing is having more of a shift to town revenues. It is more difficult if we don't have an increasing split. She noted that the caveat said that schools, ALG will take a really comprehensive look at what the shift of revenue will be so we don't have to look at this each year.

Dore' said that they had a discussion of the fabric of ALG. He thinks the group can and will decide how many people should be there and thinks that each of the three groups have who they want there representing them.

Dore' noted that 80% of our time deciding how we will divide the big pot. Dore' hoped the group will stay active during the summer months. Dore' is concerned as we look ahead at the "Concrete Stone opinion" is that the state monies to the towns will shrink and at the same time a possibility that will be sent to the towns and shifted more into Chapter 70 for Education and if that becomes the case and the schools get their portion of Chapter 70 and say this is their money and Chapter 90 is ours.

Paulina spoke about how to finance roofs and boilers and the proposal \$1.5 m of the NESWC money will pay for a portion of roofs and boilers and the split will be moved for the amount of financing the first year (\$125,000) Paulina noted that we would get the \$1.5 back in 10 years. She said that this would be good for the Town and would leave the banks out of it. We would use our money. However, she is not happy with the proposed split; she felt it should have been more.

LAUREN ROSENZWEIG - Move that we adopt the proposal from the ALG that we offer to the schools \$1.5 million from the NESWC fund to pay for phase one of the roof and boiler capital plan, and we receive \$126,000 more to our split on going.

Withdraw the above motion.

LAUREN ROSENZWEIG - Moves in concept as we understand and approve, and won't take a vote until we know in writing all details. PAULINA KNIBBE.

John said he would take it to Bill Ryan and the Schools.

Board of Selectmen Special Meeting
January 19, 2008]

Paulina wanted to be sure it is a permanent shift of the split to equal to \$126,000

BUDGET DISCUSSION

The Board discussed the adding of the \$125,000 in the budget for the first phase of 100% parity and asked that it be included in the letter to employees to show our commitment.

Steve Ledoux pointed out a recent parity study in Westford and will share with the Board. It shows more of a split. The HR Director compensation will need to be looked at as to the market. They hired a police chief for \$116,000. Dore' asked that the information be given to John and the FinCom.

LAUREN ROSENZWEIG - Move we set \$125,000 aside for employee compensation fund to be used by the new HR Director and new Town Manager.

Dore' offered that we set aside \$200,000 we need to leave un-programmed to use it were we need to use it this year to demonstrate to staff that we could come back to it and we are not abandoned is proposal. He feels we need a fund for acquisition of employees.

Steve said that he could hire an HR Person and for the Board to set a target date for this. He said that during his meetings with Department heads, they talked about the parity increase and that it would not take place and also wanted the HR Director position filled. Steve wanted to know how to allocate the funds. It is important that the funds are allocated for incentives.

Paulina wanted funds set aside for Manager and HR for targeted uses.

Paulina offered that we set aside some pot of money (\$50,000-70,000) for a delta for HR Director and the targeted use by the Town Manager under his discretion this year (FY09).

Dore' suggested we let Steve and John talk about what money should be avail in the Manager reserve to hire or give bonuses to and get the number after the blue book (un -specified appropriation) what money do we have for the priority list. We need it quickly.

Andy asked about the delta in the blue book that Paulina was talking about. John said he could add a compensation reserve line in the Manager's budget. John said top step for department head is \$72,000. Andy noted the delta in professional salaries. Andy asked if that was the combination of the two deltas with 105%. Andy asked if we would go through the blue book in ripple down on each budget. John noted we are bottom line budget to get a HR Director on board and we will need this to happen in this year's budget. Budgets are authorizations from Town Meeting, and we don't have to implement them.

Andy asked about making changes in the Blue Book. John suggested it would be handled in the Budget Supplement.

John was asked to e-mail his recommendations to the Board.

Dore' asked that staff tell us when there is a substantial increase that is not related to parity.

John doesn't think we should be using funds for Woodbury Lane. We should fund the ABCC funds of \$2,000, Shuttle can be reduced to \$10,000, Hayward and Main Traffic Study can wait,

Board of Selectmen Special Meeting
January 19, 2008]

BOARD OF SELECTMEN AGENDA
January 19, 2008
8:00 A.M. – Francis Faulkner Room

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

None

III. SELECTMEN'S BUSINESS

1. FY09 BUDGET AND ALG DISCUSSION

IV. CONSENT AGENDA

None

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

Not Required

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete Agenda.

renovation of three fire stations be taken off (we can do with existing funds) and COA Expansion is not ready. We don't have to purchase the Main Street House. The social worker position and fund from free cash if the Town wants. The street light project to be reduced to \$125,000 for the energy savings and how we fund. Design services of the intersection and senior center to be left as pending.

Andy suggested that all environmental incentives' be funded through NESWC.

OTHER BUSINESS

DORE' HUNTER – Move to accept the payment plan for the restaurant as requested in the memo from Staff. ANDREW MAGEE – second. Lauren Abstaining

Lauren asked about the Planning Board coming in to discuss their articles. She wants the Board to review and go forward before the Planning Board begins extensive work on an article that will not be included. Christine will arrange for the Feb 4th.

TOWN MANAGER'S REPORT

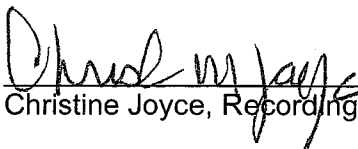
NONE

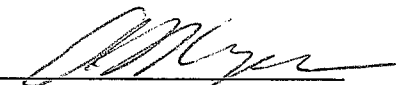
CONSENT AGENDA

NONE

EXECUTIVE SESSION

NONE


Christine Joyce, Recording Secty


Clerk, Board of Selectmen
Date 25 Feb 2008

BOARD OF SELECTMEN & SEWER COMMISSIONERS' MINUTES

Faulkner Room 204, Town Hall

January 25, 2008

7:00 AM

Present: Chairman Hunter, Selectmen Magee, Knibbe, Temporary Town Manager John Murray, Finance Director Steve Barrett, and Recording Secretary Maryjane Kenney

CITIZENS' CONCERNS

PUBLIC HEARINGS AND APPOINTMENTS

TIMED APPOINTMENT

None

SELECTMEN'S BUSINESS

BUDGET DISCUSSIONS

Selectwoman Knibbe asked for clarification on the Senior Citizen van service expense. Due to serious illness of the Senior Citizen van driver, the Counsel on Aging will need to supplement \$7500.00 for a substitute driver in this fiscal year. The Town Manager clarified that the expense won't be out of the COA Van Enterprise Fund, it being the only enterprise fund we have that is not self funded. A transfer would need to be authorized at Town Meeting as it is a separate legal line item.

Selectwoman Knibbe moved to speak on to how the board would like to go about the making budget decisions, that item needed to be resolved. The Chairman responded that traditionally the line for capital expenses moves continually until the motion is made for town meeting. She asked, as Chairman, what are the most important items to fund including initiatives? Selectman Magee stated the process differs a bit each year, but let's put our objectives in order. He believes we need to stick to necessary items listed and will not be able to fund initiatives in FY 09. We will need some improvements, but we can't add new initiatives. The two items he would like to see changed are Police and Fire overtime and the monies allotted for the Town's 275th Anniversary. Possibly we could have the Celebrations Committee try to get funding through donations.

The Chairman stated that the Temporary Town Manager has made several recommendations; and did not differentiate between hard and soft items to be funded. He made his revised recommendations for the NESWC funds to include the substitute COA van driver previously discussed. Selectwoman Knibbe agrees it is a year of transition and not a year to start funding new items. She would like to concentrate on items outside of the operating budget, and handed out a budget summary as she would like items allocated. She would come up with a net surplus of approximately \$150K. The street light conversion could be added to ESCO, cut out the Community Health Assessment, cut Director of Community Sustainability, cut self composting toilet for NARA and cut out crosswalks and instead add any additional monies to sidewalks. She would fund the ladder truck, the snow blower, and the Hayward and Main design. At some point she would like to see the Hayward/Main study and try to understand the expenses. There are really two different conversations: how do we spend NESWC money and how do we spend \$727K for capital?

The Chairman commented that it might be early to get feed back on crosswalks and know if they have been successful and if they will hold up, so maybe that money should be allocated elsewhere.

Selectwoman Knibbe stated if we can agree to not funding some of the items, money will become available. Therefore, the Senior Center Expansion feasibility study could happen. The committee is not ready, but can we earmark money at this town meeting to be spent in the fall? The Temporary Town Manager stated it would be confusing to ask for money now without being able to fully explain the project. The Chairman stated that usually you don't call a fall meeting for one topic. We used to go for zoning issues, but recently we have not done a fall Town Meeting. The Chairman agreed it might be appropriate to mention the status at Town Meeting, but will be confusing to ask for money. That might just generate questions on financing that would not help in decision making. The Temporary Town Manager stated that we traditionally go for feasibility money. He advised to get a list of questions that you feel will accomplish the tasks, and then staff will answer those questions and help build a time line against which monies can be placed. Selectwoman Knibbe asked the possibility of a place holder and then pull it if we aren't ready. Selectman Magee does not like the idea as the monies might end up in free cash if the feasibility study is pulled. There is good support for the Senior Center. Why not just go to fall meeting? The fear is that fall meeting just doesn't happen. Selectwoman Knibbe stated we can leave it in and then pull it. It will add 100K to budget. Selectman Magee stated we are still making decisions on recreation and self funding, and whether ESCO will be used to help with capital improvements such as street lights, renewable energy and whether that affects having a Director of Sustainability. He also would like to discuss the new police officer and the program on prevention of family violence, which is a soft item. He agrees with cutting the Health Assessment from the Comprehensive Community Plan, but has concerns with cutting the crosswalks as it has worked in other communities. It really adds to character of a Town Center, slows traffic, and goes to safety and sidewalks. You can't provide sidewalks and then have a free-for-all to cross the road; it does not promote safety. NARA has never been fully funded. Not having a bathroom is not good. Changing rooms, storage areas and landscaping need to be lumped together into a NARA improvement program. These are hard capital items and should come from NESWC. The added picnic pavilion area would bring resources to the project as it would greatly enhance the corporate use of the park. He requested staff get portable bathroom fees and maintenance fees as an offset of the compost toilet cost.

Chairman Hunter would like to see GPS systems stay in the budget. He feels it will be a necessary item with a second ambulance and diversion of trucks from place to place it should be pushed as very important. The Temporary Town Manager stated that its efficiencies come from using it for emergency response and mutual aid to help in dispatch, not as some believe strictly for direction. The Chairman stated that staffing of the second ambulance is still in question. He felt the sister city budget item is soft. Where does the number come from and what is required of the Town? The Temporary Town Manager noted that the number is soft; Niger officials will be coming to the United States to talk to Acton. Selectman Magee agrees with the Chairman on this item.

Selectman Magee would like to leave today understanding what a Green Power Aggregator is. The Temporary Town Manager explained the concept very basically. The Town purchases green power and becomes a broker of this energy. We buy directly from the national grid and then can sell the power to citizens, the schools, and anyone else that makes sense. Basically you cut out the middleman. It is the feasibility study we want to fund now.

ESCO, we need to study and see if it makes sense for Acton. The basic principal is we pay them all the energy savings, but they take care of all capital improvements. It will take 6 weeks to go to bid and see if there would be savings for Acton.

Chairman Hunter would like to know more about the prevention of family violence program and how it works. Police have a significant number of family violence calls. But other groups do try to run prevention programs, such as churches, rotary, united way, and counseling departments. The chief will get statistics on family violence to the Board. Selectman Magee is interested in who will be working with these people.

The Temporary Town Manager explained some of the staff line item changes. The Building Commissioner/Zoning were merged it into one department. The group who writes the legislation should enforce it and see how it works. They will implement changes that need to be made as they work with the codes. It is a good fit into planning, which is not a sustainable situation at this point in time. If a Building Commissioner comes on, he will review building plans and determine if they meet code, enforce energy code, and additionally inspect that buildings meet state code. Selectman Magee stated that building inspector is very tough job. Zoning looks at signs, layout, and character. Selectwoman Knibbe asked if the new structure would be typical. Typically zoning has been so complicated that many towns just hire a separate person.

Selectman Magee would like Renewable Energy Certificates off the budget list, add back senior center, add money for sidewalks and not certain about ESCO.

The Temporary Town Manager will send out email of his understanding of the cuts and additions made at today's budget meeting. Please find attached.

The Chairman noted that we actually don't get numbers from state for budget until the fall. He was most disappointed in Acton Forum article in Beacon.

OTHER BUSINESS

CONSENT AGENDA

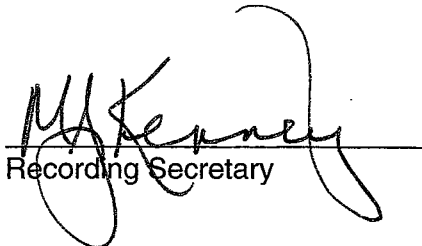
APPROVAL AND NOTIFICATION OF THE TOWN POLLING LOCATIONS

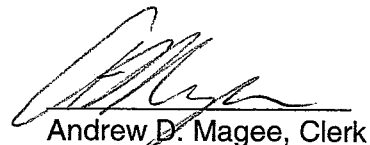
Selectman Magee moved to approve the locations and Selectwoman Knibbe seconded. The Chairman so ordered polling locations approved.

TOWN MANAGER'S REPORT

EXECUTIVE SESSION

There will be no need for Executive Session.


Recording Secretary


Andrew D. Magee, Clerk


Date

FY 2009 BUDGET WORKSHOP

January 26, 2008

8:00 AM to 1:30 PM

FAULKNER MEETING ROOM

Meeting called by:

BOARD OF SELECTMEN

Present: Chairman Hunter Selectmen Magee, Knibbe, Berry,
Temporary Town Manager John Murray, Finance Director Steve
Barrett, KarenK and Recording Secretary Maryjane Kenney

Presiding:

F. DORE'
HUNTER,
CHAIRMAN,
BOARD OF
SELECTMEN

Please bring: BUDGET BOOKS

Minutes

1. COFFEE

2. Convene Meeting: Chairman Hunter

Dore' Hunter

3. General Overview: Temporary Town Manager John Murray

John Murray

4. NATURAL RESOURCES: [Conservation, Cemetery and Recreation Programs]: (24) NARA Park Bathroom Improvements {89}, (31) Camp Acton Composting Toilet {99}, (32) NARA Park Shade Structures {91}, (33) Expand NARA Park Snack Bar {90}, NARA Park Changing Room/Storage Area {93}, NARA Landscaping {98}, NARA Picnic Pavillions, to be provided

Tom Tidman

Tom Tidmin and Kathy Fochtman presented – The operating budget was touched on quickly. Allen Nitschelm asked about purchased equipment and using non town revenues for storage buildings. NARA capital upgrades are funded through taxes. Our fees schedule is set to cover operating expenses only. Bill Mullin and Herman Kabakoff confirmed that this was the current policy. Selectman Magee asked for details on the changing area, landscaping and storage at NARA. Landscaping would include drainage and improve the slope next to stage. Also, The Picnic Pavilion, please explain. Tom Tidman replied that there is a large use of the area by Corporations and to be able to advance that use would generate additional fees. Steve Noone, questioned the long range plan for playgrounds – where is the plan? Recreation Commission is currently addressing a plan, including a handicap access playground at the Elm St. play ground location. Bill Mullin asked about CPC funds being available for use of play grounds. Tom Tidman replied that for CPC funds to be available “new” needs to be attached to the project; as a new trail in the playground. Bob Evans stated roads in the cemetery need repair.

5. MEMORIAL LIBRARY

Marcia Rich

Marcia Rich presented - Areas of significant change are parity and the travel budget, as Marcia will be treasurer of Minuteman Library Network and she will need to travel. Books and periodicals had an increase with a high request for materials exchange and circulation was up 4%. In FY 07 we were 14th in the state in circulation per capita. In FY 07 the staff had the 8th highest workload in the state. Long range priority is new data base for use in reservations and learning skills software (SAT, MCAS testing study guides). Herman Kabakoff asked if the materials budget equals the 15% factor required by regulators. No, the \$150K request is based on needs. Allen Nitschelm – what is the policy for part-time v full-time staff and benefits – part time with benefits should not be allowed. The Library is not handling budget correctly with 7 part-time benefitted staff. Her full-time people are long range professional and get 4 weeks each off. That is a lot of time to cover. Herman Kabakoff requested please add in the budget the addition of Sundays especially during the school year.

6. HIGHWAY/NESWC: [NESWC Enterprise] (11) Compost Equipment {NA}, (12) Replace Snow Blower {31}, (14) Transfer Station Paving {NA}, (20) Replace Skid Steer Loader {33}, (26) Replace DPW Director Vehicle {32}

David Brown,
Bruce Stamski

Bruce Stamski presented – The Board of Selectmen took a moment to congratulate and thank Dave Brown for 40Years of service to the Town. Bruce then continued pointing to significant changes in his budget. Moving capital for sidewalks to operating budget, \$34 K increase due to parity, and diesel and gasoline show a major increase in that budget line. Additional snow and ice monies have been added for plowing and road maintenance in the winter. Chairman Hunter asked for a review of snow removal on the Agenda Feb 4. Recycling numbers have been up since

the new station opened. Selectman Magee questioned paving monies being down? Chapter 90 monies have helped as paving costs have doubled. Bruce stated, we need to use some of that money for bridge repairs.

7. **ENGINEERING:** (13) Bridge Repair {9}, (22) Design Services, Hayward/Main Street {11} (23) Cross Walk Improvements {NA} Bruce Stamski

Bruce Stamski continued presenting – He was asked to explain the policy on life cycle of highways and how is it comparable to other towns. Bruce explained that every 15 to 20 years highways need major maintenance. Acton has 41 miles sidewalks and 108 miles of town owned road. Allen Nitschelm stated that Quarry Rd and Main has a drainage issue and questioned the safety risk. We have band aided it and it needs a major fix. Yes, road flooding can be a safety issue. Bill Mullin asked if Hayward and Main is still in, do the Selectmen have a position. Some thing needs to be done but not \$465K. Some geometric safety changes. Concord and Newtown need the same study. Bruce stated the collection of data to complete the study would cost the same as the original study, about \$40K. Chairman Hunter was in agreement: you are probably right that study should be done. Pat Clifford asked if compost and recycling would come from NESWC for capital. John Murray answered yes.

8. **CLERK/ELECTIONS** Eva Bowen

Eva Taylor presented - Additional election, and new training for voting machine is the major increase in the Clerk's budget.

9. **COUNCIL ON AGING:** [COA Van Enterprise] Jean Fleming

Jean Fleming presented - Currently there are approximately 3200 seniors in town. The staff provides a Newsletter for the seniors and it can be found on line. Staff consists of 5 full time and 4 part time people (3 with benefits) and accounts for 90% of the budget. Office supplies and program supplies are the remainder of the budget. Van enterprise staff is 84 % of that budget, with 16% in gas, maintenance and cell phone. Health insurance costs are in there. In terms of request for the FY 08 enterprise budget we need to add monies as gas has gone up and the long term illness of the van driver added \$5-7500. Chairman Hunter asked does the van service meet the need of the senior population? Jean replied that there are transportation needs that are not met. Steve Noone asked how fast is the senior population growing? In 2020 it is estimated to be 4400. Bob Evans questioned the senior center expansion, what is it going to be and what will it cost? No decision had been made yet. Chairman Hunter explained we need to find expansion areas first and then we can have estimates done.

10. **BREAK**

11. **BUILDING/ZBA:** [Building Inspection Revolving], (28) Replace Inspection Vehicle {1} Frank Ramsbottom

Frank Ramsbottom presented – The Town has hired a contractual inspector for the Avalon Project. This cost is offset by the standard fee schedule. Herman Kabakoff - no new heads? Frank - that is correct. Bill Mullin asked about the total number of permits: it was lower than 2006.

12. **PLANNING:** (7) Assistant Planner/Zoning Enforcement Officer {103}, (9) Master Plan Supplement/Community Health Assessment {102}, (19) Community Shuttle {NA} Roland Bartl

Roland presented – He explained his temporary position as zoning commissioner with the task of enforcement. In the budget the major increase is for an assistant planner and zoning enforcement person. Chairman Hunter explained why the zoning enforcement will go to planning and that zoning enforcement will be appointed by the Town Manager. Kent Sharp wanted to clarify that there is one new position; an assistant zoning/planner and the Building Commissioner position. That is correct. Herman Kabakoff stated there was no mention of zoning only planning in the job description, which should be corrected. He disagrees with the need to replace some one and get a new person; could you combine the jobs. With the slow down in housing it might not be altogether necessary. It was noted that the slow down is real and will not turn around this year, affecting maybe only the 40B developments. The 40Bs are very labor intensive. John Murray stated that in the 90's the building department was cut significantly. We are trying to rebuild. Acton has a difficult by-law and it takes at least 2 years in the department to understand and work it. Selectmen Berry asked if the new planner will be attending the zoning hearings. Yes, that is correct. Comprehensive Community Plan funding has been increased as looking for intensive community outreach, becomes more expensive with the extra effort. The \$100K is needed to move into the next phase before momentum is lost. Selectman Magee stated that as outdated as the old plan was, many of the suggested items were implemented with the exception of Kelly's Corner. Allen Nitschelm stated in his opinion it was wrong to hire a company to cajole people to come in and give their opinion in regards to the Comprehensive Community Plan. We did get three proposals and have a vendor that has started to work with us. We have an appropriation from town meeting but will need more. The \$120K is the new number since the RFP has gone out and new numbers have come in. \$20K will be coming off as the Selectmen voted against the community health assessment part of the project. Bill Mullin asked for clarification on 40R as opposed to 40B revenue. Roland stated the concern is that they are looking at very heavy density and as such requires

vote by town meeting.

13. POLICE: (2) Deputy Police Chief {105}, (3) Police Officer {106}, (4) Prevention of Family Violence and Bullying Initiative [NA]

Frank
Widmayer

Frank Widmayer presented – He is the only non-union employee in his department. His goal was to keep as low and close to his budget number as he did last year, as his number one priority is to fill a position. You see some increases due to parity with the clerical staff and uniforms needed and then you see some decreases as they lost an officer and the Quinn bill goes down. With a flat budget (+1% which includes salary parity) the department can get by another year, but he has significant staffing issues addressed. A Deputy chief, patrolman, officers and a domestic family violence program are being requested. Chairman Hunter is prepared to support the Deputy Chief, the other positions are still uncertain. The Chairman is interested in learning more about the domestic violence program. Selectman Magee, how much will the domestic violence program interact with the schools, nursing or other organizations? There is a need for someone to work with families directly. People are moving out from the cities and the kids are having major problems. Approximately 250 calls a year relate to domestic violence. Cameras and difibs are available for the cruisers. Every town around has them in use but Acton is waiting for the unions to respond. Currently we do not have these tools available and police are often the first respondents. The union contends that these devices change working conditions causing a need for increases in compensation. Allen Nitschelm needed clarified how many cruisers we have and how often they get replaced. The department replaces 3 to 5 replaced a year, last year they replaced 4. They can rotate the older ones to be used as unmarked cars. Kent Sharpe asked about the Assistant Deputy, is it in the budget? It was explained that a union person can't be an assistant. Will an additional person help with the overtime? Not really, maybe if 6-8 new officers were hired it would have an affect. Jonathan Chinitz, Chair of the School committee, is this the first year the school police are fully funded. Yes. Chairman Hunter asked the status of the force's hand held communication. The reply was it is analog and needs to be updated to digital.

14. INFORMATION TECHNOLOGY

Mark Hald

Mark Hald presented – The largest item of change is moving GIS into the operating budget and out of capital. Chairman Hunter questioned the vacancies in the department? They are going to start interviews as soon as Laura returns from maternity leave and they have their coverage. Herman Kabakoff noticed \$175K in expenses, what's up with that, \$300K is the total from the warrant? On the original request they did not add layers to integrate the GIS to be made useful. Herman asked this is over and above and will this continue each year? After the 5th year of the plan it might decrease. The subject is worthy of being isolated and discussed individually. Jonathan Chinitz – This expenditure is not different than putting a roof on a building and that is why you need overlays and it is a help to citizens. Pat Easterly, so to clarify we are at Phase I of the operation of GIS. Bill Mullin, there are heavy expenditures in the front end of the year, is there still monies left? The Munis contract happened in March and that was a large part, CTY in May, it is just how the contracts have been signed at the front end of the year this time. Allen Nitschelm is the status of web site going to improve when the employee on maternity leave comes back in February? What saving can we gain from sharing services with the schools? Mark replied we do share where appropriate, as with the Munis server. Pat Clifford, when can staff efficiencies be seen in the implementation of the GIS. When services such as abutter lists, maps and implementation of kiosk will go on line, including access on web site at home. Mark anticipates the use to be up and running in FY 08.

15. FIRE:[Fire Alarm Revolving]; (5) Aerial Ladder Truck & Pumper {20}, (6) Second Ambulance {NA},(16) MDT/GPS Units for Fire Apparatus {23}

Robert Craig

Bob Craig Presented – The increase in salaries is due to shift over time for absences caused by personnel attending training academy for new firefighters. We have put training off for a year and it cannot be pushed out any further. Capital requests are for a new ambulance and GPS units. Not for directional use, but to help in response for mutual aid calls and calls for directional changes. Selectman Magee – Does the law require training in the first year? There is a contractual requirement to provide training within the first year. When a person, for some reason doesn't take his slot, you lose your spot and need to reapply with a 6/7month wait time. Herman Kabakoff, the second ambulance is funded from the enterprise fund. Bob, yes. The pumpers were discovered to be in disrepair during routine maintenance. They were sidelined. Allen Nitschelm, please explain if they are second line trucks they don't need to be in great shape. Isn't that what mutual aid is for. The pumper would not be used on a regular basis and might not be needed at all if mutual aid is called. The Fire Chief stated that in 2007 we had a total of 13 structure fires. Cost to recondition the ladder truck would run approximately \$200K, under the condition that you need only a few more years of service and no warranty of repairs. Bill Mullin stated that the \$200K is not currently in the budget, and the money should be shown as soft funding. North Acton design committed \$85K and yes it will roll over. The designers need to look at a new location on same site; it appears that now we might get an easement. Bob Evans questioned if financing was the most cost effective means for funding the ladder truck and pumper. John Murray stated that there was an error in the calculation and the cost has been recalculated over a 15 year period. Take it out of NESWC funds and it will not cost long term so much. Pat Easterly, what is the impact of our ice and snow program on new equipment? Will

that affect its lifetime and what about our own vehicles? The reply was absolutely. Maryanne Ashton inquired about the balance in the ambulance fund: it is \$853K. The last time we purchased an ambulance FY 07 it was at approximately the same price \$183K plus equipment. Chief Craig stated it was \$200K when fitted with equipment.

16. WEST ACTON LIBRARY

Jennifer
Friedman

John Murray presented for Jennifer Friedman - West Acton Library CPC covers the refurbishment that has been requested. Pat Clifford, has technology been added to the updates? No technology is added to the current improvements as technology upgrades are currently being done.

17. BREAK

18. HEALTH/NURSING: [Nursing Enterprise, Septage Enterprise, Sealer of Weights Revolving, Food Service Revolving, Hazardous Materials Revolving,] (18) NPDES compliance{24}, (27) Replace Car 13 {26}, (29) Treatment Plant Lab Data Enhancement {30}, (30) Treatment Plant SCADA Upgrade {29}

Doug Halley,
Merrily
Evdokimoff

Doug Halley presented – His new budget items included a water treatment lab data program, Animal Inspector, Capital for GPS for locating storm water locations, new car, and upgrading the treatment plant. Selectwoman Knibbe asked why the Town Health Assessment was part of the Comprehensive Community Plan. It will look at public health concerns in the community. We could then seek additional grants with the study assessment completed. Herman Kabakoff does not think we should profit by our fees on disposable waste (CRTs). Mr. Magee noted that CRTs are legally deemed hazardous materials. Merrily stated in Nursing staffing is the largest problem. Balance on nursing enterprise fund is \$395K

19. FINANCE: accounting , assessors, collector, finance & [sewer enterprise fund] (10) Environmental Investment Trust Fund {NA}

Steve Barrett

Steve Barrett presented - Unexpected salary lines and over extended consulting money that went into retooling MUNIS pursuant to revenue collection account for increases in finance department budget and Vision Appraisal Software, in which the Town had a 9 year revaluation. The collector's office has two thirds of its long-term employees retiring. Trying to fill those spots will be difficult and getting them up to speed will be time consuming in FY09. Labor accounts for 90% of the budget. Payroll is lowered in anticipation of Community Preservation (CPC) funds covering collection and administration costs of the CPC projects. Selectman Magee would like to have the Master Health numbers and the effect of retirees on the budget. Steve Noon, Middlesex Retirement System assessment will it continue to be 10%? Steve Barrett responded the state is holding onto some of the funds. They are continuing meetings with the Inspector General. Pat Clifford questioned how the 9 year evaluation was updated and how it was paid. Acton updates and values annually and we pay through the professional services line. Bob Evans, when can we pay on-line? Mr. Barrett agreed we lag behind in this area. Allen Nitschelm, how many part time employees with benefits? Mr. Barrett replied zero. Bill Mullin asked about teacher pay salary deferral. There are 4 years left. Mr. Mullen also wanted to know the details of the NESWC account. The amount in the fund is \$4.88M, invested at the federal funds rate minus 25 basis points yields 5% and generates 200K a year.

20. MANAGER/EMERGENCY MANAGEMENT/CELEBRATIONS/ HR/VETERANS' SERVICES: (1) AB Cultural Council {NA} (8) Improvements in Weatherization of Town Buildings {NA}, (17) Green

John Murray presented - \$50K is needed for contracts and planning for our public celebration in advance of Acton's 275th Anniversary. Selectman Magee feels that this is too high; the manager had already adjusted the budget accordingly to reflect that. The Manager is implementing increases in the training budget that in the past had been held back. It is now time to invest in employee training. \$2000 goes to the Cultural Council and they return it in programs to the community. General maintenance in municipal buildings, boilers and heating system need to be taken care of and the underground fuel tank has to have the appropriate actions taken. We are trying to invest in maintenance before the problems become so overbearing. We are going to ask The Energy Services Company (ESCO) to give a proposal in which maintenance to the systems will be fully funded in exchange for the energy savings which they will keep. ESCO will pick and chose a menu of items, we will look at options. The \$75K is to supplement what they won't pick up. We will get quotes from other vendors as well and expect at least a 2 month process.

21. Power Aggregation Study {NA}, (21) Director of Community Sustainability {NA}, (25) Sister City Relations {NA}

John Murray presented – The Power Aggregate Study is to allow the Town to have the legal ability to become a broker of energy. The money you see in the budget is for a study to see if the program is a match for Acton. Allen Nitschelm, is this a money making proposition for Acton? There are monies for a loosely defined Sister City Relationship with Niger. The relationship would help form a cultural relationship with Niger. The Mayor from China is interested in meeting and making a relationship with a municipal group in the States. Selectman Magee stated it might just be too

big of a project for us now. The Chairman noted it is so early and not well enough defined to place money against.

Selectman Magee, looking at legal fees it is level and seems to be more than enough at \$460K. Bill Mullin, in the legal service line item, who is represented. Should we bring someone in house? The Chairman explained that the expertise differs so vastly that we could not get appropriate representation from one person.

22. MUNICIPAL PROPERTIES: (34) Renewable Energy Certificates {NA}

Dean Charter

23. Streetlight Retro-fit: (15) Street Light Conversion {62}

Bernie Kosicki

Bernie Kosicki presented – Acton's current lights were installed in 70's and 80's. The new optics will be metal halide technology and will focus downward to reduce the glare. Light spill will be reduced and electricity cost will be reduced. The capital expense would be \$165K to replace and yearly savings would be \$35K. Payback period in this program would be 4.6 years. NStar also offers a rebate which would further reduce the payback period. Current maintenance is \$20K a year which we pay to Littleton electric. Acton purchased the lights. We do need to explore what is anticipated for maintenance cost. Bill Mullin asked about the ESCO program and what it would change in the expense of this program. Allen Nitschelm asked if ESCO provides a savings why we give it away.

This ended the FinCom/BOS Budget Meeting

The Board of Selectman remained to meet, 1:15 pm.

Allen Nitschelm wanted to discuss a disturbing aspect of the budget. He does not believe that 20-25 part timer employees should receive benefits. Selectman Magee, we need to investigate this and see if we need a policy. Many of these people are professional and it would be difficult to replace them. The Chairman asked staff to please gather more information on this subject. Mr. Murray stated that the manager does have such a policy and there is no need for the Board to adopt one.

Allen Nitschelm, what will be the cost for the green proposal? He also questioned if the Fire Department does not seem to have a real need for an ambulance

The Board took time to go over the changes in the budget from the Friday, January 25th am meeting. The Temporary Town Manager read through the line items and made the changes they had discussed today (See attached to minutes). Discussion stopped on the issue of crosswalks; currently many of the sidewalks leave people at an unsafe place. Selectwomen Knibbe said crosswalks don't have to be aesthetically pleasing, they just need to cross people safely; lets see how it goes. Selectman Magee would like to see a NARA bundle as was discussed at an earlier meeting. He would fund out of the NESWC monies. He recommends that the picnic pavilion go to CPC for funding and leave the other items as a capital project funded this year. Selectwoman Knibbe added that she feels there should be a flat area for strollers and wheel chairs in front of the theater. Selectman Magee stated that is happening. Mr. Murray, in the design the Town has purchased interlocking plastic grid to facilitate handicapped access.

Selectman Knibbe questioned if the Sister City Funds should actually come from the tax base. Another organization should be in place as support that the town might endorse. Let's put a relationship together with a declaration and then see what the expectation is. The Chairman agreed it should not be the town but another group who is in support.

All agreed to fund the ladder truck and the pumper with NESWC funds.

Compost for the leaves and the trees, will the compost be a profitable product? No additional staff would be needed, it actually would save time. Selectwoman Knibbe stated that if the savings were sufficient, it should be funded. Chairman Hunter asked what does the equipment look like and what maintenance is required? For \$300K it is a lot of money if there is no savings. Compost is part of the NESWC money for recycle upgrades.

Transfer station paving, maybe try to let the area settle it and fund the paving another year. Dave Brown is afraid of safety issues.

ESCO and street light go as a package \$200K, and if we go ESCO \$125K comes back to budget. The real number is \$165K, but 40K is in energy savings.

Snow blower all approved, bobcat, approved.

EMT communicator for Fire Department the Chairman stated they are in favor \$48K.

Green Power Aggregator, need to get a lot more information and go in a separate warrant article to Town Meeting. Who is interested in buying from the town?

DPW director vehicle, all agreed it was needed.

Shuttle study very important, \$10K.

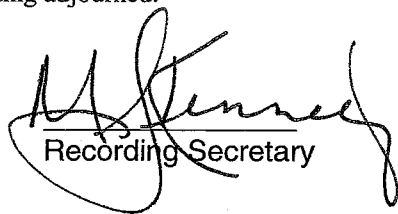
Storm water compliance MDES 25K to show we are moving forward. We can not do it all this year.

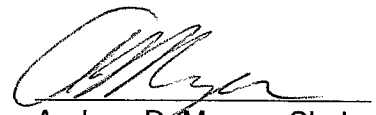
Treatment plant for sewers, Selectwoman Knibbe would say no if it comes out of operating budget. Selectman Magee should hold a hearing for the expansion, if a fee is established we pay our share. The Chairman stated we need to advertise and hold public meetings. Selectman Magee, can we not do it this year. We need a system set up for notification and decision process. The Temporary Town Manager should get a recommendation from Health.

Energy certificated delete from the budget.

2nd ambulance for the Fire Department, all are in favor.

Meeting adjourned.


Recording Secretary


Andrew D. Magee, Clerk
25 February 2008
Date

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**January 28, 2008
Acton Town Hall, Faulkner Hearing Room
7:00 P.M.**

Present: Dore' Hunter, Lauren Rosenzweig, Andrew Magee, Paulina Knibbe and Peter Berry
The Temporary Town Manager, John Murray was present. Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Dore' noted the continuance of the Hayward Road Main Street Presentation due to the Consultants inability to attend this evening, but will offer those attending to comment.

OPERATIONAL MINUTE

John reported on the level of money left in snow and ice. He feels we will go over the budget

PUBLIC HEARINGS & APPOINTMENTS

WEST ACTON NEW LONDON STYLE PIZZA, 555 MASSACHUSETTS AVE., 6 GREAT ROAD, CHANGE OF MANAGER ON THE LIQUOR LICENSE TO CASSIE BOTTOS

ANDREW MAGEE - Moved to Approve the Change of Manager to Cassie Bottos – PETER BERRY – second - UNANIMOUS VOTE

ACTON SUZUKI, 60 POWDER MILL ROAD AND ACTON-RENT A CAR, 56 POWDER MILL ROAD, CLASS I LICENSE/SITE PLAN, LEO BERTOLAMI

Mr. Bertolami was present to discuss the Bond that he felt was due back to him. He is here to discuss a letter from Roland. He wants to have 56 and 60 Powder Mill Road return back to two separate business sites. He discussed the history of the connection of the two sites. He also talked about the smaller lot and landscaping. Mark Donohue spoke about 56 which is used as a car carrier unloading area. He felt that some landscaping was required to protect the building from backing up into the house. Mark said that if they did the connection they would need to go to Appeals Board and Conservation Commission because it is in the 100 year flood plain. He noted that the time is short to build the ramp in 6 months. Andy noted the plan does outline some undefined use that is not driveway or parking lot; it is labeled as future landscaping.

Lauren asked that we reserve the portion for a ramp connection. She has safety concerns noted in the Fire Chief's memo.

Dore' read thorough Roland's memo and his comments #1-6 for Board discussion.

#1. To release the \$5K bond for the restoration work in the conservation restricted area.

2. Not to grant the site plan amendment request, except to allow, as a redline change, the landscaping and shrubbery at the foot of the westerly retaining in its present location, and to waive the installation of the bollard.

3. To require a cash bond in the amount of \$15K as performance guarantee for the completion of the outstanding items (i.e. ramp/driveway connection to 56 Powder Mill Road, parking lot striping, signage) which must be posted before the current temporary license expires on January 31, 2008.

4. To issue a new temporary license - subject to receipt of the above bond on or before January 31, 2008 - that is valid until June 1, 2008. (Note: the construction items are difficult / impossible to do in winter)

5. To condition clearly that renewal or extension of that new temporary license, or conversion to a full license, beyond June 1, 2008 shall be contingent upon full compliance of the site at 60 Powder Mill Rd. with the site plan as last approved by 2nd Decision Amendment of July 17, 2007, except as redlined above, and the delivery to the Town Building Department by May 21, 2008 of an as-built plan that proves compliance.

6. To state clearly that there will be no further consideration of the matter and that the dealer licenses will terminate unless there is full compliance with the above.

Leo discussed ramp and he feels it works well. He felt that the iron ramp would require the leveling of the site which would include removal of the Doll House and the Prescott Building. He wants to keep the unloading area and does not want a ramp built.

Dore' noted the difficulty with following this subject and wanted to get it wrapped up and done. Dore' asked John if he had any other suggestions on how to bring to a conclusion and get a compliant site. John said he had nothing further. The real concern it is a site plan that had a ramp and then it didn't but the final issue was noted on the plan.

Dore' said he felt we could release the landscaping bond. Dore' asked the other board members for their comments.

Andy corrected the Bond issue that it was with the Conservation Commission for the fencing that was installed too close to the Assabet River. The fence toward Maynard for a walk way but disagreed with the February date for release of the Bond. Regarding the ramp, we have an email from the Fire Chief in March 2007 he was invited to a meeting with all interested parties. It was fully vetted with engineers and lawyers. Now, Mr. Bertolami says he may have to level the lot and destroy the buildings. Andy cautioned any landscaping on 60 Powder Mill Road with regard to the River Front Act and what was required from DEP. Andy wanted a letter that they are comfortable with it. Leo will get the letter and send a copy to the board.

Lauren said she had no problem with bond release. #2 is fine. #3 to require a cash bond and agrees to hold it until they are addressed. #4 to issue a new temporary license to June, depending on the ramp. #5 renewal or extension of the temporary license.

Leo said that he does not want to construct the ramp. She asked his intention and he said that he will be putting the rental back at 56. She would consider a trade off that they keep the doll house and the Prescott Building in perpetuity in a deed restriction.

Paulina said that she has not been involved and would like two things happen: to have the ramp work it would be better that 56 become a parking lot. She said that the Fire Chief said this is for safety and she puts that before anything else. The Chief said it is needed.

Peter said that it was required on the plan as a potential fire lane. Dore' said the ramp would be put in. Dore' said that too much time is being spent on this and now there is a need for a meeting again about this with all the parties.

Lauren said that fencing that was put in is attractive and the buildings have been upgraded she felt that the Board should look at the site and get together with the Fire Chief and to keep the reserve on the connection. She wants to know why the building would have to be destroyed for construction of a ramp for safety. Paulina said she would like to see the site and she gives a great deal of weight to the Fire Chief's opinion.

Leo said that the Fire Chief wants the Ramp. And he wants to have site plan amendment and have the licenses for both and have it as two properties so the ramp would not be required.

Dore' felt we could release the Bond, we have a site plan amendment request, and the Board would like to make a site visit before addressing this. We need to extend the license for a month to February 28th. We need to put it back on the agenda. Dore' said that we must have a requirement that the applicant make a clear request in writing of what he wants from the Board,

LAUREN ROSENZWEIG – Moved to release the \$5,000 Bond and to further require the applicant to present to the Board a written request of what he is asking the Board to do. And to extend the license to February 28th PETER BERRY –second. UNANIMOUS VOTE

MAIN STREET (Route 27) AND HAYWARD ROAD TRAFFIC IMPROVEMENT STUDY

Dore' noted that we are not getting the main presentation due to the absence of the consultant.

Bill Mullin handed out a memo from TANS and read it to the Board. The Traffic Light was not needed according to the consultant.

The Board discussed the various suggestions made by the consultant.

Bruce Stamski said the cost will be Phase 1 \$150,000 Brook Street in the range of \$60,000 and another \$20,000 for side walks. The impact of the changes doesn't have an impact on the corridor. Lauren asked if the \$150,000 was construction only. Paulina asked about reconfiguration of Brook Street and asked if the design was included in the \$80,000.

Brian Bendig commented on the issue. He does not want a roundabout in Acton Center. Mr. Peterson said that the grade improvement at Brook Street be funded. He said we need to do something at Concord and Newtown.

RICHARDSON'S CROSSING LLC, 113 CENTRAL STREET, MARSH VIEW, LLC, 93 CENTRAL STREET, 40B REQUEST FOR COMMENT

Jim D'Agostine presented the plan of the proposed 40B's. They plan on building four capes on each site. Andy asked about wet land issues on the Richardson's crossing and there is no water on the other site. Lauren asked about sidewalks on Central Street. Andy noted we get two units out of this plan.

SELECTMEN'S BUSINESS

FY09 BUDGET POLICY, ALG DISCUSSION

Franny Osman updated the Board on the activities of TAC and asked how much is budgeted in 2009 for paying for an intern or Consultant. The board said \$10,000. Franny said if we go with a student we would need someone to oversee this person. She said we could hire some one for \$20,000 to do the leg work and to fill out the application.

Paulina discussed her charts for making the recommendations. They began by discussing the Yellow ones. She said it was important how much would be paid out of NESWC and what from taxation.

Dore' noted he has no issues with removing the items in red. Andy agreed to remove all red items.

Dore' said we now need to talk about yellow. Prevention of Family Violence/bullying: Dore' would like to see a written game plan and who can help now. Paulina felt we should cut it and doesn't think the police are the right place to put this. She also noted that if we go ahead with the Deputy Chief and Police Officer they are increasing the safety in this Town. Andy said he would have it deferred to next year. All Agree. Change from Yellow to Red.

Lauren noted that she thinks it is a serious problem and that there are a lot of people who need this Prevention of Family Violence program.

NPDES compliance: Andy spoke to Doug about this and he feels it is important to stay on top of this permit and legally important also. Andy said we are not behind other communities. He asked Doug if he could go forward with less funding. He said Doug said he would do it because it is an important issue. Lauren concurs and felt that we needed to get this done before the State comes. Paulina says we need to do this as it prevents problems and is the right thing to do, and could support \$35,000. Peter thinks it is important environmental issue.

Camp Acton Composting Toilet – Paulina said that she changed her mind and could support and make it available. It would provide a way for the Camp Acton to be used more for camping. It was agreed to keep it at \$30,000.

NARA Pavilion: Pauline asked about the possibility of it being a CPC project. Andy felt that this would be funded under CPC.

Lauren discussed the funding for Community Shuttle. She said that we could fund at \$15,000 and get matching funds from United Way. John did not want staff to pick up another project. We need a professional to prepare this application. Dore' said that we should put this in at \$20,000. Paulina agreed and did not want to lose this and to move forward with the effort to get matching funds.

John spoke about the 275 Anniversary plans. John said that we drop that to \$20,000 he said we need at least a year and a half to plan this event. Paulina after looking at it could support \$20,000. The board felt we should put in \$6,000 for Fireworks.

We had \$2.4 million of cuts made in the beginning. Andy noted his reaction to the statement made by Allen Nitchelm that we were spending. Andy noted that we have done more cutting than spending. Andy noted that the funds available for capital are less than they were last year.

Paulina said she wanted to increase the Sunday Library hours. Dore' also supported this opening on Sunday.

Dore' spoke about Fire Overtime, we need to monitor this and have the Manager keep on top of the issue. Andy noted that there probably was room in this. John suggests it be moved into the Town Manager's Budget and have them monitor this quarterly. Paulina said that she will be much harsher next year if it is not working.

Andy said that he would move the Main Street Traffic project up and ESCO down into NESWC. Andy would consolidate the NARA improvements and move into NESWC.

Paulina wanted a place holder for the \$150,000 for Main Street Traffic and have the \$60,000 Brook Street shaving off to next year.

Peter noted we are in tight economic times and our aid from the State will go down, and thinks back to 2002 and said we may face those same issues at the State. He would be in favor of spending our savings instead of loading it in to the tax base. Peter thinks it is a good idea to lend the money to the Schools for boiler, etc.

ACTON HEALTH INSURANCE TRUST – FISCAL YEAR 2009

Peter wanted to be sure the Board was aware of what is going on with rates. The trust is very healthy and we had a good year and we have \$4 million at this time and will hold the rates flat. We will continue with Blue Cross Master Health Plus, but we would want to increase it by 8% and the school plans will decrease by 3% because the schools negotiated higher co-pays. He said the budget will have a 1.6% increase. Rates will be voted at the end of February.

OTHER BUSINESS

FETAG - Dore' wanted to get the computer generated plans on the Web. The Board said they would like it noted it was a former Board that voted this. He also wanted the article he wrote be in the Beacon and the Web.

Peter spoke about the Wireless Draft and Planning Board will be addressing on Feb 12th. He needs to get the Board's input.

Lauren spoke about EDC and that they are suggesting a change to light industrial districts that will be discussed by the Planning Board on Feb 12th.

Roland drafted a special article to address municipal exemptions.

TOWN MANAGER'S REPORT

NONE

CONSENT AGENDA

Quail Ridge – Lauren removed herself from the room as she is a member. It was held by Andy - Andy questioned the document and wanted to look into it more. Andy noted that 20 million gallons were withdrawn without a permit from State or the Acton Health Department. He felt we should read the MEPA letter which outlines some of their problems.

Quail Ridge, Paulina too wanted to look over this before voting to sign this document.

It was decided to take it up again later. John was asked prepare a brief of the document.

John said they came before the State and admitted the over withdrawal by them. BOH is requiring them to do supplemental items instead of a fine.

LAUREN ROSENZWEIG – Moved to appoint all four volunteers to the VCC as verbally requested by Chairman Hunter. PAULINA KNIBBE – second. UNANIMOUS VOTE

Paulina asked to hold minutes of the December 17 meeting until she had time to review them.

Dore' wanted to hold the appointment of Ms. Friedrichs until he had a chance to speak with her.

Now that he has had a chance to talk with her, DORE' HUNTER – Moved to appoint Terra Freidrichs as an Alternate member of HDC. PETER BERRY – second. UNANIMOUS VOTE.

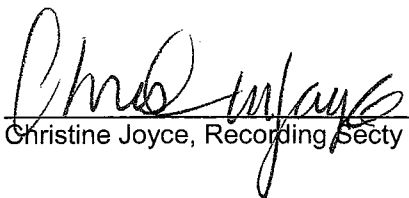
Extra Info Nursing Service – The Board asked for the Manager to explain these requests. The Board approved.

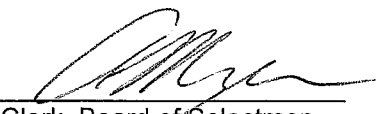
Extra Info, Kate Chung to be appointed to the Sidewalk Advisory Committee. The board approved this appointment

LAUREN ROSENZWEIG – Moved to accept the Consent Agenda except for held items. . ANDREW MAGEE – second. UNANIMOUS VOTE

EXECUTIVE SESSION

NONE


Christine Joyce, Recording Secty


Clerk, Board of Selectmen
Date 25 February 2008

BOARD OF SELECTMEN & SEWER COMMISSIONERS'

MEETING AGENDA

Francis Faulkner Meeting Room

Town Hall

January 28, 2008

7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:02 OPERATIONAL MINUTE

The Town Manager will provide a brief report on topics of interest.

2. 7:15 CHANGE OF LIQUOR LICENSE MANAGER, WEST ACTON NEW LONDON STYLE PIZZA, 555 MASS AVE, FROM NICHOLAS BOTTOS TO CASSIE BOTTOS

Enclosed please find materials in the subject regard, for Board consideration.

3. 7:25 ACTON SUZUKI, 60 POWER MILL ROAD AND ACTON RENT A CAR, 56 POWDER MILL ROAD, CLASS I LICENSE/SITE PLAN, LEO BERTOLAMI

Enclosed please find materials in the subject regard, for Board consideration.

4. 8:00 MAIN STREET (RTE. 27) AND HAYWARD ROAD TRAFFIC IMPROVEMENT STUDY

Enclosed please find materials in the subject regard, for Board consideration.

5. 8:40 RICHARDSON'S CROSSING LLC, 113 CENTRAL STREET, 40B REQUEST FOR COMMENT

Enclosed please find materials in the subject regard, for Board consideration.

6. 8:50 MARSH VIEW LLC, 93 CENTRAL STREET, 40B REQUEST FOR COMMENT

Enclosed please find materials in the subject regard, for Board consideration.

III. SELECTMEN'S BUSINESS

7. FY09 BUDGET DISCUSSION

Enclosed please find materials in the subject regard, for Board consideration

8. ACTON HEALTH INSURANCE TRUST – FISCAL YEAR 2009 PROJECTIONS

Enclosed please find materials in the subject regard, for Board consideration.

9. OTHER BUSINESS

IV. TOWN MANAGER'S REPORT

V. CONSENT AGENDA

10. ACCEPT MINUTES, BOARD OF SELECTMEN, DECEMBER 17, 2007

Enclosed please find materials in the subject regard, for Board consideration.

11. FREEDOM'S WAY, HERITAGE ASSOCIATION, INC., 2009 DUES REQUEST

Enclosed please find materials in the subject regard, for Board consideration.

12. STREET ACCEPTANCE DOCUMENTS, MAIN STREET AND PARKER STREET

Enclosed please find materials in the subject regard, for Board consideration.

13. ONE DAY LIQUOR LICENSE REQUEST, LE LYONNAIS RESTAURANT.

Enclosed please find materials in the subject regard, for Board consideration.

14. QUAIL RIDGE SETTLEMENT AGREEMENT, VIOLATIONS OF BOARD OF HEALTH PERMITS

Enclosed please find materials in the subject regard, for Board consideration.

15. GEORGIA E. WHITNEY MEMORIAL FUND REQUEST FOR APPROVAL OF EXPENDITURE FOR THE 2008 CREELEY AWARD, ACTON MEMORIAL LIBRARY, JOHN ASHBERRY, POET

Enclosed please find materials in the subject regard, for Board consideration.

16. APPOINTMENT, ASSOCIATE NON-VOTING MEMBER, BOARD OF HEALTH, JOSEPH R. IANELLI, APPOINTMENT TO EXPIRE 6/31/2011

Enclosed please find materials in the subject regard, for Board consideration.

17. DISPOSAL OF OBSOLETE MATERIALS, ACTON MEMORIAL LIBRARY

Enclosed please find materials in the subject regard, for Board consideration

18. DISPOSAL OF OBSOLETE MATERIALS, WEST ACTON CITIZENS' LIBRARY

Enclosed please find materials in the subject regard, for Board consideration.

19. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$200.00 from Huntington Learning Center, to be used to support Winterfest activities, for Board consideration.

20. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$200.00 from Acton Toyota to be used to support Winterfest, for Board consideration.

21. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$75.00 from Serafina Ristorante to be used to support Winterfest, for Board consideration.

22. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$1,000.00 from the Cambridge Savings Bank, to be used to fund the traveling Rainforest Reptiles, for Board consideration.

23. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$25.00 from Applebee's Neighborhood Grill & Bar, to be used in the silent auction at Winterfest, for Board consideration.

24. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of a signed poster of the Patriots Cheerleaders from the New England Patriots Cheerleaders, valued at \$50.00, to be used in the silent auction at Winterfest, for Board consideration

25. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of an Autographed Photo of Red Sox pitcher, Jonathan Papelbon valued at \$150.00, from the Boston Red Sox Community Relations, to be used in the silent auction at Winterfest, for Board consideration.

26. ACCEPT GIFT, POLICE DEPARTMENT

Enclosed please find a gift of \$250.00 from Capizzi and Company to be used to support Youth Programs through the Police Department, for Board consideration.

27. ACCEPT GIFT, WEST ACTON CITIZENS' LIBRARY

Enclosed please find a gift of \$1,750.00 from the Citizens' Auxiliary to be used to pay architectural services related to the exterior of the building, and to reframe the Library Charter, for Board consideration

VI. EXECUTIVE SESSION

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

MINUTES PENDING VOTES

December 17, 2007, January 7, 2008, January 19, 2008

PENDING COMMITTEE APPOINTMENTS

Mike Fisher, TAC (still with VCC), Reshma G. Singh, and ABCC to fill the unexpired term of Elaine Sisler who recently resigned. Barbara Estabrook, ABCC, Sumar Adishesu, ABCC. *(Ms. Estabrook and Ms. Adieshu's applications are at VCC for Interview and recommendation, Joseph R. lanelli, Interested in several committees, The following applications have been forwarded to VCC for interview and comment: Jean Lane, VCC, Nancy Gerhardt, VCC, Bonnie Giethner, VCC, Les Gerhardt, Cable Advisory Committee, Mary Ann Angle, COA*

FUTURE AGENDAS

February 4 and 25, March 3 and 17, April 7, Town Meeting begins

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**February 4, 2008
Acton Town Hall, Faulkner Hearing Room
7:00 P.M.**

Present: Dore' Hunter, Lauren Rosenzweig, Andrew Magee, Paulina Knibbe and Peter Berry
The Temporary Town Manager, John Murray was present. Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Pat Ellis of 297 High Street asked if the Board was familiar with the property tax article in Globe regarding tax rates. She was concerned about why we have the highest tax rate then the area around Acton. She also asked about a split tax rate and why we don't have it in Acton. Dore' explained the Tax Split and spoke about the newspaper article. Acton turns out to be an expensive place to live. Pat Ellis wanted his comments in writing: Dore' asked her to contact the School Committee and John will prepare a draft response from the Board.

CPC Status presentation made by Walter Foster. Walter presented the spread sheet with the status of CPC funds. Final votes will be taken before the Board's next meeting. The requests will be brought to the BOS and FinCom. Dore' noted the Exchange Hall application. Both Walter and Ed Starzac have been assigned to this request for the application for the preservation and historical renovations. Mr. Berger will be putting \$1 million in the project and \$1 Million for the inside repairs, and is requesting CPC funds. The CPC will go toward the outside renovations. The CPA monies will go to windows, roof, eaves and it is designated for those items only. Andy noted that those pieces will be done early on, but would not get the CPC funding until the entire project is complete in an effort to make sure the whole project gets funded and finished.

Peter spoke about the benefit to the town and would bring back viability to South Acton.

Paulina has concerns about the Exchange Building receiving CPC Funds and would tend to say no at this time. Walter said they have protections in place if the project fails.

Paulina noted the Senior Center Expansion Committee and noted that there was land at Conant that was bought by the Town for a possible school expansion. She does not want us spending money on trails until we see that we might have another use.

OPERATIONAL MINUTE

PUBLIC HEARINGS & APPOINTMENTS

NARA PARK PICNIC PAVILION PRESENTATION - CPA FUND REQUEST

Tom Tidman presented the CPC request for Picnic Pavilion at NARA PARK. Tom said that there was a problem under the Bath House and they were in the works for funding. They feel they could rent the pavilion out to three different parties at one time. Tom said that this may be

the last year we get 100% matching CPC funds. Tom felt we should act while we are getting 100% Funds back.

Tom said that he would like to see the pavilion in place for the Town's 275 Celebration.

Cathy Fochtman spoke about the use of the Park and they have over 100 children using the park and currently use the white tents. The Beach also gets a lot of use during the summer season. Cathy said that many groups use Park for corporate uses, and parties.

Tom felt the modular type unit would be a good choice. It will eliminate the big upfront costs with design. We can also ask others who have used it and see what they offer.

Tom noted that the rough cost for this project would be \$250,000. This plan would require that we contract to get the roofing materials installed as part of the \$250,000.

Peter Berry asked if the CPA would be able to fund it. Tom said yes, it was determined it would be fundable as it is a new building.

Paulina asked if we will be charging. They do now for the other park activities. Tom noted that we could not charge a fee if CPC funds were used. We will be looking into having a Service Charge for this Pavilions.

Lauren felt we need to keep the "Lip" for the pavilion in place if it was not too expensive to do so.

SNOW PLOWING DISCUSSION

David Brown updated the Board on the use and need and problems plowing sidewalks in town. David outlined the priority plowing schedule. Obstacles for the sidewalk plow were discussed. David explained the need for a new sidewalk plow. He requested that the Board consider purchasing a new sidewalk plow at a cost of \$115,000. David discussed T-style roads and the problems with them.

Andy asked about what would be the best practice for constructing a sidewalk; David said it would be a 12 foot right of way for the sidewalk.

Lauren thanked the Highway Team for doing such a great job removing the snow. Lauren understood the trouble with T-style roads.

Paulina echoed Lauren's comments and will keep this in mind during the design of sidewalks as the committee reviews the expansion of sidewalks.

Dore' said Bill Ryan should be notified so he can get a read on it and whether or not the sidewalks are usable.

Dore' talked about snow getting put in the street, and suggested that we put this notice regarding the snow plowing/shoveling and putting the snow on the down side of the driveway in the Municipal Quarterly.

QUAIL RIDGE SETTLEMENT AGREEMENT AND MEPA REQUEST

Lauren Rosenzweig recused herself and left the room. She is a member of the Club.

Attorney Doug Wilkins and Doug Halley gave a summary of where we stand on this issue. Doug Halley noted last spring they became aware that the Club was exceeding the water withdrawals. They asked Quail Ridge to come to the meeting to discuss. Quail Ridge acknowledged their withdrawals and the Board of Health asked them to work with Doug Wilkins to settle this. There is a \$25,000 fine and \$30,000 in an environment project that will go to NARA, and \$5,000 to get assurance that the wells were not impacted during the excessive withdrawal. QR has also filed a housing plan and hopes the MEPA will review it.

Andy asked how we found out that they were taking too much water. DEP noticed it and they then had action to move forward to correct it. Andy asked about how much DEP was awarded.

Paulina said it seems reasonable, but she had a problem with the letter on page 2 Pond Augmentation and needs areas and the Board of Health request work with Developer. She is very concerned with the reuse of the waste water treatment inside Zone II. Doug Halley agreed with her on the use of waste water treatment use and said most of it was outside Zone II.

This is the Selectmen's call on how this is split up, and we could accept a gift if we decide to take it all as cash. Doug Halley said that they could fund a supplemental project.

Andy asked about the ENF drip irrigation on a golf course with waste water. Doug explained it would be under ground. Andy asked if the irrigation permit was in force, and if the Applicant asked for a higher withdrawal amount. They need to see what level they want.

ANDREW MAGEE, - Moved to accept the Settlement Agreement. PETER BERRY- second. Lauren came back into the meeting.

TOWNE SCHOOL BUILDING REDEVELOPMENT, 40B PRESENTATION

Lauren introduced Mr. Joncus from Common Ground Development. They have done other projects in Westford and other communities in Massachusetts.

Steve noted that they were the developer for the Old High School. They have a goal to mix up the affordable and market rates units. They have submitted the paperwork to the State. They will need to go forward to the Appeals. The financing is eligible for listing on the national register and would qualify for funds for rehab. They will be seeking tax credits for affordable housing and housing grants.

Allen Plotkin gave a brief presentation on the floor plan proposed. They want to reuse the existing infrastructure already in the building. That will allow them to use the facades in the building. It will remain basically the same except for new doors and lighting.

They will be putting in a new elevator and laundry room. A Studio will have 450 sq ft, 1 bedroom 675-750 sq ft, 2 bedroom 800-850 sq ft, and 3 bedrooms at 14,000 sq. ft

The State has approved the curb cut. Dore' asked about the amount of light on the site. They said they want one fixture (down facing); they have a lot of spill light on the site.

Andy noted that there is enough spill-over in lighting.

Lauren echoed Selectmen Hunter and lighting suggestions. She wanted ambient path lighting.

Peter noted that he was on the selection committee and noted a management arm of the team would take it over upon completion.

Paulina asked if it would count toward the 10%. Mr. Joncus replied yes.

PLANNING BOARD PRESENTATION OF ZONING ARTICLES FOR 2008 ANNUAL TOWN MEETING

Dore' thanked them for the condition of the Articles and appreciates the Board's efforts and they look like they are fairly mature in form.

Greg gave an executive summary on the articles and the Planning Board's action on these articles.

Greg asked for guidance on the municipal exemption article and if the Board wanted to bring it forward.

Dore' said he liked the article but felt that the citizen's may disagree. He felt we should leave it and address it at that time when we need an exemption.

Lauren spoke about the municipal exemption like driveways are put in for cars and trucks and not fire trucks. Lauren asked that we table it until next year and we will know what is happening with the Senior Center and fire stations.

Andy thanked the Planning Board for the presentation. Andy did not want to bring the municipal exemption to Town Meeting at this time. Andy also expressed concern about the proposed theater overlay of a Conservation Restriction – CR_ - area. This is setting up for an ugly battle as there are many who will strongly oppose a CR conversion – so why bother changing the zoning.

Paulina asked about Article D doubling floor area ratio. Paulina asked if someone was looking for this. EDC have had inquiry for alternative site. Draft Article E, Paulina asked about the current affordable housing.

SELECTMEN'S BUSINESS

2009 BUDGET AND ALG DISCUSSION

Dore' spoke about the items we will be asking for and the issue of the economy decline, and that there is concern noted. Dore' discussed the NESWC funds and their use. Jonathan Chinitz has changed his opinion. He now has changed tack and thinks that is unsettling opening.

John spoke about the plan prepared after his meeting with Dore' and Lauren. The FinCom has reservations in spending down the NESWC monies and that it is not a good move.

John noted that in his discussions with Jonathan we should go back to the old policy and go back to ALG and look at new splits and formulas as we are too late in the process. John asked about flexibility in uncertain times. Instead of the schools taking the first stage of the boilers they would borrow the money. Bill and Jonathan agreed to this. John was concerned how it affected our budget.

Andy spoke about his spreadsheet. Andy said he used Paulina's materials to prepare this suggestion. He spoke about NESWC and some tension about the split and that some felt we should use the funds we have. Then he heard that NESWC should be held in reserve. This is a lose-lose. His plan is to bond the schools boilers and roofs, the ladder and fire pumper within NESWC. The balance in NESWC is currently 4.8 Million and we would use \$1.7 Million this year, leaving a good and fair reserve. Andy noted that this gives us the ability to do the bulk of capital items and still leaves a fair balance in NESWC. We need to address in this budget several things still to be addressed such as the employee compensation, Health Insurance adjustment and the 275th Celebration. Andy said this is a modest budget, and leaves \$3.2 million in NESWC.

John discussed his presentation based on the meeting at noon today. The 275 Celebration request has been lowered. Sidewalks and Health Trust with no numbers and is still under consideration. John was trying to match reoccurring items. The shuttle should be \$20,000 and that flips the number and makes it short. The latest plan calls for bonding the Fire ladder and pumper, compost and street snow blower as well as the new loader, all within NESWC. John said we need a new loader and it would be bonded. Dave and Bruce have begun to cannibalize the Highway budget to keep them going. John suggested that we absorb the Snow deficit in this year's budget.

Paulina said that the chart should be labeled correctly and to rename it NESWC, as of noon time on Feb 4, 2008. Paulina said she was questioning why they would give up the increased split and the schools first staging from NESWC funds.

Paulina is comfortable with bonding the major expenses; she is not comfortable taking the debt service into the operational budget. She said if the economy goes bad it will give us flexibility to turn that debt into an Override.

John noted that bonding takes 2/3 vote.

Paulina felt that the NARA improvements, while she would like to have them; they should be in their budget. She wants some things removed that it is too large at 9 items.

Lauren discussed our concern with sustainability. She noted the list of things that have gone for years without funding. Lauren said we need to be sure the Salary Parity should take place and it is the highest priority. Lauren said Andy's list made it clearer why we need these with the explanation to the right.

Dore' said we may have a consensus around the plan that is sufficiently agree able to make it to the FinCom.

Andy strongly supports the NARA Improvement items, and the reduced 275 Celebration funds to use to get ready for it. Andy felt the Environmental Trust Fund should go, and that we should find a way not to bond the Compost equipment, as it will pay for itself.

Peter did not see the NESWC for just for capital. It is an extraordinary fund and would suggest we move down the list to fund items. He likes the idea of not taxing to the limit and it is important we don't raise taxes to the limit, and we should look to the NESWC fund or reserve for use. Lauren will go back to the FinCom on the 12th; she will give the disks or update them.

John said he was putting composting for \$325,000 on the chart.

2008 TOWN WARRANT DISCUSSION

John spoke to this. He noted that we have the boilerplate articles prepared and are compiling the materials for new articles.

WIRELESS COMMUNICATIONS FACILITY BYLAW COMMITTEE REPORT

Peter reported on the article. He said that Roland put the maps together for set back; the residential areas are very well protected. People on the committee were satisfied with that. They decided to have a super article to get a waiver from setbacks and other issues. It puts a heavy burden on the company to say we really need this and have to show there is no other site available. Peter said that it protects the town from the cell towers installation.

People were concerned about notification and he said that they added 1,000 feet set back. Dore' felt the super exemption should come before the Board of Selectmen as a potential litigation issue. Lauren asked John Murray litigation wise, can't the Planning Board litigate. John said that individual boards can be sued, but the Board of Selectmen is the final arbiter of what will happen with that litigation and works with counsel.

Andy said it is more likely to go into litigation. Paulina said she wanted the Planning Board to handle this. Andy asked if Peter had an opinion. Peter said that people felt they could address the Board of Selectmen instead of Planning. He said we will get just as good a decision from the Planning as the Selectmen doing it.

SENIOR TAX RELIEF

Dore' discussed the legislation and that our staff said the Town should not accept this legislation as it offers less, not more, benefits to seniors. John said we get more money already which can give maximum relief to those in need.

OTHER BUSINESS

Andy updated the Board on the WRAC meetings.

TOWN MANAGER'S REPORT

John updated the Board on the Town warrant and staff work, and asked that items be channeled through him.

Senior Center and COM Plan is doing preliminary planning.

CONSENT AGENDA


John held 14.

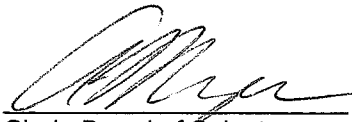
ANDREW MAGEE – Moved to accept the Consent Agenda except for item 14, which was held
LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

ANDREW MAGEE – Moved to accept the Recreation fee increase #14. LAUREN
ROSENZWEIG – second. UNANIMOUS VOTE

EXECUTIVE SESSION

NONE


Christine Joyce, Recording Secty


Clerk, Board of Selectmen
Date 25 Feb 2008

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Francis Faulkner Meeting Room

Town Hall

February 4, 2008

7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:10 **NARA PARK PICNIC PAVILION PRESENTATION, COMMUNITY PRESERVATION COMMITTEE, (CPC) FUND REQUEST**
Enclosed please find materials in the subject regard, for Board consideration.
2. 7:25 **SNOW PLOWING DISCUSSION**
Enclosed please find materials in the subject regard, for Board consideration
3. 7:40 **QUAIL RIDGE SETTLEMENT AGREEMENT AND MEPA REQUEST**
Enclosed please find materials in the subject regard, for Board consideration.
4. 8:00 **TOWNE SCHOOL BUILDING REDEVELOPMENT, 40B PRESENTATION**
Enclosed please find materials in the subject regard, for Board consideration.
5. 8:20 **PLANNING BOARD PRESENTATION OF ZONING ARTICLES FOR 2008 ANNUAL TOWN MEETING**
Enclosed please find materials in the subject regard, for Board consideration.

III. SELECTMEN'S BUSINESS

6. **2009 BUDGET AND ALG DISCUSSION**
Enclosed please find materials in the subject regard, for Board consideration.
7. **2008 WARRANT DISCUSSION**
Enclosed please find materials in the subject regard, for Board consideration.

8. WIRELESS COMMUNICATIONS FACILITY BYLAW COMMITTEE REPORT

Enclosed please find materials in the subject regard, for Board consideration.

9. SENIOR TAX RELIEF

Enclosed please find materials in the subject regard, for Board consideration.

10. OTHER BUSINESS

IV. TOWN MANAGER'S REPORT

STAFFING REQUESTS VS. STAFF SHORTAGES

No materials enclosed

V. CONSENT AGENDA

11. ACCEPT MINUTES, DECEMBER 17 REGULAR AND EXECUTIVE SESSION

Enclosed please find materials in the subject regard, for Board consideration.

**12. APPOINTMENT OF DOCUMENTED ACTON RESIDENT ALIENS TO TOWN
BOARDS AND COMMITTEES POLICY**

Enclosed please find materials in the subject regard, for Board consideration.

13. BIKE LOCKER SEASONAL REPORT AND 2008 RENTAL FEES

Enclosed please find materials in the subject regard, for Board consideration.

**14. FEE RECOMMENDATIONS FOR FIELD FEES, NARA YOUTH AND NARA
BEACH**

Enclosed please find materials in the subject regard, for Board consideration.

**15. DISCLOSURE OF APPEARANCE OF CONFLICT OF INTEREST, MICHAEL
DENSEN, PLANNING BOARD MEMBER**

Enclosed please find materials in the subject regard, for Board consideration.

**16. APPOINTMENT OF ACTON COMPREHENSIVE COMMUNITY PLAN OUTREACH
STEERING COMMITTEE**

Enclosed please find materials in the subject regard, for Board consideration.

17. DISPOSAL OF OBSOLETE MATERIALS, ACTON MEMORIAL LIBRARY

Enclosed please find materials in the subject regard, for Board consideration.

18. DISPOSAL OF OBSOLETE MATERIALS, WEST ACTON CITIZENS' LIBRARY

Enclosed please find materials in the subject regard, for Board consideration.

19. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$25.00 from Vincenzo's Restaurant, to be used for Winterfest activities, for Board consideration.

20. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$132.15 from O'Naturals, Inc., to be used to fund Grease production costs, for Board consideration

21. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$200.00 from Acton Boxboro Youth Football to support Winterfest activities, for Board consideration.

22. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of a potted rosemary plant valued at \$75.00 from Butterbrook Organic Farm, to be used in the silent auction at Winterfest, for Board consideration.

23. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$315.00 from Concord Oil Company, to be used for Winterfest activities, for Board consideration.

VI. EXECUTIVE SESSION

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

MINUTES PENDING VOTES

December 17, 2007, January 7, 2008, January 25, January 26, January 28, 2008

PENDING COMMITTEE APPOINTMENTS

Mike Fisher, TAC, Reshma G. Singh, ABCC to fill the unexpired term of Elaine Sisler who has resigned, Rajani Lakhans, ABCC to fill unexpired term of Rixin Li, who has resigned, Barbara Estabrook, ABCC, Les Gerhardt, Cable Advisory Committee, Mr. teDuits, to fill the unexpired term of Charles Smith as Cemetery Commissioner

FUTURE AGENDAS

February 25

March 3 & 17

April 7, Town Meeting Begins